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By

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LIST OF ABBREVIATIONS

AAS	*Acta Apostolicae Sedis*
Ap. Const.	Apostolic Constitution
Archiv K. KR.	*Archiv Jiir Kalholisches Kirchenrecht*
ASS	*Acta Sanctae Sedis*
Cancell.	The Apostolic Chancery
Cod. Com.	The Pontifical Commission for the Authentic Interpretation of the Code (Code Commission)
Collectanea	*Collectanea Sacrae Congregationis de Propaganda Fide* (1907 edition, two volumes)
Datar	The Apostolic Datary
E.R	*The American Ecclesiastical Review*
Fontes	Gasparri. *Codicis Juris Canonici Fontes*
Homil	*The Homiletic and Pastoral Review*
Instr	Instruction
Irish E.R.	*Irish Ecclesiastical Record*
J.P	*Jus Pontificium*
Monit	*Il Monitore Ecclesiastico*
N.R.T	*Nouvelle Revue Théologique*
Periodica	*Periodica de Re Morali, Canonica, Liturgica*
RD	*Sacrae Romanae Rotae Decisiones seu Sententiae*
Resol	*Resolutio*
Rota	The Sacred Roman Rota
S. C. Caer.	The Sacred Congregation of Ceremonies
S. C. Cone.	The Sacred Congregation of the Council^
S. C. Consist.	The Sacred Consistorial Congregation
S. C. Doct.Fid.	The Sacred Congregation for the Doctrine of the Faith
S. C. Neg. Eccl. Ext	The Sacred Congregation for Extraordinary Ecclesiastical Affairs
S. C. Or	The Sacred Congregation for the Oriental Church
S. C. Prop. Fid.	The Sacred Congregation of Propaganda
S. C. Rel.	The Sacred Congregation of Religious
S. C. Rit.	The Sacred Congregation of Rites
S. C. Sacr.	The Sacred Congregation of the Sacraments
S.C. Scm.	The Sacred Congregation of Seminaries and Universities

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Sec. Stat. .	. Office of the Papal Secretary of State
Signatura .	The Supreme Tribunal of the Signatura
S. Off. . .	The Supreme Sacred Congregation of the Holy Office
S. Pocn. .	The Sacred Penitentiary
T.P. Quart.	*Theologische-Praktische Quartalschrift*
Zeit. K. T.	*Zeitschrift fiir Katholische Théologie*

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BOOK I

GENERAL NORMS

Canons 1-86

BOOK I

GENERAL NORMS

Canons 1-66

CANON 1

Greek-Ruthenians: Exarchate of Pittsburgh Divided (Paul VI, Ap. Const., 6 July, 1963) AAS 56-488.

The dispositive part of this Apostolic Constitution is as follows:

Since the Apostolic Exarchate of Pittsburgh has lately had a considerable growth, We judged that it would be well that some territory be withdrawn from it and that, from this territory, two eparchies be formed for the convenience and utility of the Ruthenian faithful from Podocarpathia. Accordingly, after hearing the opinion of Our Venerable Brother Aegidius Vagnozzi, titular Archbishop of Myra and Apostolic Delegate in the United States of North America, and likewise that of the Apostolic Exarch of Pittsburgh, and having moreover asked the advice of Our beloved Son, the Secretary of the Sacred Congregation for the Oriental Church, We by Our authority decree as follows. Let the Apostolic Exarchate of Pittsburgh be divided into two territorial units, which shall have the name and rank of eparchies and shall have their seat and episcopal domicile, one in the city of Pittsburgh and the other in the city of Passaic. As for territorial boundaries, the new Eparchy of *Passaic* shall include all the Ruthenian faithful who are in States bordering on the

Atlantic, namely: Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, the District of Columbia, Maryland, Virginia, North Carolina, South Carolina, Georgia and Florida, and those who dwell in the eastern part of Pennsylvania, namely that part which lies east of a line running along the western boundaries of the counties of Tioga, Lycoming, Union, Mifflin, Juniata and Franklin. The rest of the territory belongs to the Eparchy of *Pittsburgh*. The exarchal church of Pittsburgh, and likewise the parish church of Saint Michael in the city of Passaic are raised to the rank of cathedrals, with the honors and privileges attached thereto. We judge also that the Seminary of the Pittsburgh Eparchy shall be open also to students from the Eparchy of Passaic, that is, after the two Eparchs shall have agreed on the matter. Our Venerable Brother Aegidius Vagnozzi shall attend to the execution of this Our Letter, and he is hereby given the necessary faculties for this purpose. When this has been done, the documents are to be drawn up and true copies thereof sent promptly to the Sacred Congregation for the Oriental Church.

Given at Rome, from Saint Peter's, the sixth day of July in the year 1963, the first of Our Pontificate.

AAS 56-488; Paul VI, Ap. Const., 6 July, 1963.

Trullo Case Remanded to Local Ordinary for Declaration of Nullity (Holy Office, 19 Nov., 1963) Private.

Theodore, baptized Greek Orthodox in 1914, married Minnie, a baptized Lutheran before a Justice of the Peace on 31 July, 1932. The above-mentioned marriage was the first for each party. A civil divorce was obtained by the respondent on 8 February, 1961.

Theodore, born of Greek Orthodox parents, was baptized in St. Constantine Greek Orthodox Church, Chicago, as an infant. The actual baptismal record could not be obtained because St. Constantine Church was destroyed by fire in 1928. However, the testimony of the petitioner, his mother and two cousins leaves no doubt that the petitioner was baptized in the Greek Orthodox religion shortly after birth. He attended Mass at St. Constantine Church until the age of 9, at which time he refused to attend further.

In 1962 the petitioner began instructions in the Catholic religion and was received into the Catholic Church on 19 January, 1963. From 1923 until 1962 the petitioner practiced no religion nor did he ever attend church services. He was never baptized in any Protestant religion and his marriage to Minnie was never performed in the presence of a priest. The respondent, Minnie, could not be contacted since her present address is unknown. The petitioner is certain that she was baptized in the Lutheran religion as a young girl. She practiced the Lutheran religion faithfully.

The Judge-Delegate declared that the Theodore-Minnie marriage should be judged invalid because of the diriment impediment of mixed religion involving a Greek Orthodox and a baptized Protestant, based on canon 72 of the Council of Trullo. The decrees of Trullo remained in force for the Greek Orthodox until *Crebrae allatae,* went into effect on 2 May, 1949?

Reply. In due time there have arrived at the Holy Office the documents and testimonies concerning the marriage which was entered into by Theodore, baptized in the schismatic Byzantine rite, and Minnie, baptized in the Lutheran religion, and which it is contended was null because of the impediment legislated in canon 72 of the Council of Trullo.[1]

On this matter I inform Your Excellency that the marriage at hand can be declared null since it is certainly proved that the petitioner was baptized in a schismatic church and the respondent was also baptized although in the Lutheran religion.

(Private); Holy Office, 19 Nov., 1963, Prot. No. 4030/63m; reported by the Rev. Peter M. Shannon, of the Tribunal of the Archdiocese *of* Chicago. For a study of Trullo cases, see *The Jurist,* 23 (1963)-340-351 (Shannon).

Trullo Cases Must Be Referred to Rome (Holy Office, 6 Feb., 1964) Private.

A petition for a declaration of nullity of marriage was presented to the tribunal of the Diocese of Gary, and since the tribunal doubts that this declaration is within the competence of a local Ordinary, I respectfully submit it for your consideration.

The petitioner, Joseph, was allegedly baptized a Lutheran as

1 Reported in Canon Law Digest, 3, p. 399.
2 Cf. Canon Law Digest, 5, p. 13.

an infant. There is no record of this baptism because of the destruction of the church.

The petition concerns the marriage of Joseph and Pauline which took place on 16 March, 1945, before a civil judge in San Diego, California.

Pauline was baptized and confirmed in the Russian Orthodox Church, Gary, Indiana, on 26 December, 1922.

This was the first marriage for the petitioner but the respondent, Pauline, was previously married to Frank in the Polish National Church. Gary, Indiana, on 24 October, 1942. A civil divorce was obtained for this marriage on 23 Nov., 1943. Frank died on 2 Dec., 1961.

There is strong evidence that Frank was never baptized in any religion. His family was Protestant but they did not practice infant baptism. The father and sister of Frank claim he was never baptized. There is no record of his baptism at the Protestant church attended by his family, and other close acquaintances in the small community where he lived stated that he was never baptized.

Since there is no positive evidence of the baptism of Frank, the tribunal judges that his marriage with Pauline was invalid due to the diriment impediment of disparity of cult, since this impediment binds those baptized in the Russian Orthodox religion.

Since this is so, it seems that the subsequent marriage of Pauline and Joseph was not invalid because of the impediment of ligamen but that it was invalid because of the diriment impediment of mixed religion decreed by canon 72 of the Council of Trullo[1] and binding upon baptized Orthodox until 1949.

Therefore, it is the opinion of the tribunal that a declaration of nullity can be given for the marriage of Joseph and Pauline, even though the baptism of Joseph is not positively established. If he was not baptized, his marriage to Pauline, baptized Russian Orthodox, was invalid due to the diriment impediment of disparity of cult. If he was baptized, the marriage was invalid because of the diriment impediment of mixed religion established by canon 72 of the Council of Trullo.

In conclusion, I respectfully ask the following:

[1] Cf. Canon Law Digest, S, p. 13.

1. Is the tribunal correct in judging that a declaration of nullity can be granted for the marriage of Pauline and Joseph?

2. If the answer to 1. is affirmative, can the local Ordinary grant the declaration of nullity in this case and in similar cases?

3. If the answer to 2. is negative, will the Congregation of the Holy Office graciously grant a declaration of nullity (or a document of freedom to marry) for our petitioner, Joseph?

4. Finally, must all applications of canon 72 of the Council of Trullo be referred to the Supreme Sacred Congregation of the Holy Office?

Reply. In due time there have arrived at the Holy Office the acts of the process in the case of the asserted nullity of the marriage contracted between Joseph, a baptized non-Catholic, and Pauline, baptized in an Orthodox religion in 1945.

After having subjected the acts to mature examination and fulfilled all the legal requirements of the case, this Supreme Sacred Congregation has decreed: "Proof is had of the nullity of the marriage at hand by reason of can. 72 of the Council of Trullo."

With reference to the general questions, sc., whether the Ordinary can in the future proceed to declare nullity of marriage in similar cases, this Supreme Congregation has decreed: "Let the Ordinary have recourse in each case."

(Private); Holy Office, 6 Feb., 1964, Prot. No. 1769/63; reported by the Rev. Janies A. Coriden, Fice *Officialis* of the Diocese of Gary.

Decree on Oriental Catholic Churches (Cone. Vat. IL, 21 Nov., 1964) AAS 57-76.

Paul, Bishop, servant of the servants of God, together with the Fathers of the most sacred Council: for a perpetual memorial.

Introduction

1. The Catholic Church holds in high esteem the institutes, liturgical rites, ecclesiastical traditions, and Christian life discipline of the Oriental Churches. For in them, distinguished, certainly, by their venerable antiquity, shines forth that tradition[1]

[1] Leo XIII: Litt. Ap. *Orientalium dignitas,* 30 Nov., 1S94, in *Leonis XIII Acta,* vol. XIV, pp. 201-202.

Translator's Note: With the exception of references to the Canon Law Digest, all footnotes, whether merely references or comments, arc published in the official text of the decree.

which has come from the Apostles through the Fathers and which constitutes part of the divinely revealed and undivided heritage of the universal Church, Therefore, as an expression of the concern for the Oriental Churches which are living witnesses of this tradition, this holy and ecumenical Synod, desirous that they flourish and discharge the task entrusted to them with new apostolic vigor, has determined to set down certain main provisions over and above those which look to the Church universal; other provisions are left to the Oriental Synods and, of course, the Apostolic See.

INDIVIDUAL CHURCHES OR RITES

2. The Holy Catholic Church, which is the mystical body of Christ, is composed of the faithful who are organically united in the Holy Spirit by the same faith, the same sacraments, and the same government and who, combining into various groups united by a hierarchy, constitute individual Churches or Rites. Among them obtains a wonderful bond of union in such wise that variety within the Church not only does not bring harm to its unity but rather proclaims it. This, to be sure, is the intent of the Catholic Church: that the traditions of each individual Church or Rite should remain unimpaired and entire, and it likewise wishes that each one adapt its way of life to the varying needs of time and place.[2]

3. Individual Churches of this kind, both in the East and in the West, albeit they differ somewhat among themselves in rites, as they say, that is, in the liturgy, ecclesiastical discipline

2S. Leo IX: Litt. *In terra pax,* an. 1053: "Ut enim"; Innocentius III: Synodus Lateranensis IV, an. 1215, cap. IV: "Licet Graecos"; Litt. *Inter quattuor,* 2 Aug., 1206: "Postulasti postmodum"; Innocentius IV: Ep. *Cum de cetero,* 27 Aug., 1247; Ep. *Sub catholicae,* 6 Mar., 1254: prooem.; Nicolaus III. Instructio *Istud est memoriale,* 9 Oct., 1278; Leo X: Litt. Ap. *Accepimus nuper,* 18 Maii, 1521; Paulus III: Litt. Ap. *Dudum,* 23 Dec., 1534; Pius IV: Const. *Romanus Pontifex,* 16 Feb., 1562: § 5; Clemens VIII: Const. *Magnus Dominus,* 23 Dec., 1595: § 10; Paulus V: Const. *Solet circumspecta,* 10 Dec., 1615: §3; Benedictus XIV: Ep. enc. *Demandatum, 24* Dec., 1743: §3; Ep. enc. *Allatae sunt,* 26 Jun., 1755: §§ 3, 6-19, 32; Pius VI: Litt. enc. *Catholicae communionis,* 24 Maii, 1787; Pius IX: Litt. *In suprema,* 6 Jan., 1848: §3; Litt. Ap. *Ecclesiam Christi,* 26 Nov., 1853; Const. *Romani Pontificis, 6* Jan., 1862; Leo XIII: Litt. Ap. *Praeclara, 20* Jun., 1894: n. 7; Litt. Ap. *Orientalium dignitas,* 30 Nov., 1894: prooem.; etc.

and spiritual heritage, nevertheless, are equally entrusted to the pastoral government of the Roman Pontiff who by divine will succeeds Blessed Peter in the primacy over the Church universal. Consequently, they exist with equal dignity with the result that no one of them stands out over the others by reason of rite and, under the direction of the Roman Pontiff, all of them enjoy the same rights and are held by the same obligations, even as regards the preaching of the gospel to the whole world (Cf. Mk. 16:15).

4. Therefore, everywhere in the world, provision should be made for the protection and growth of all individual Churches and to this end parishes and a special hierarchy should be established where the spiritual good of the faithful so demands. However, the Hierarchs of the different individual Churches who possess jurisdiction in the same territory, should, by taking counsel in periodic meetings, take care to foster unity of action and, by combining forces, assist common undertakings for the more expeditious promotion of the good of religion and the more efficacious preservation of clerical discipline.3 All the clergy and those who are advancing to sacred Orders should be well instructed regarding the Rites and especially about practical norms in interritual matters. Indeed, the laity also in their catechetical instruction should be taught about the Rites and their norms. Finally, Catholics, one and all as well as those who have been baptized in any non-Catholic Church or Community and ηολν belong to the fulness of the Catholic communion, should, everywhere in the world, retain their own Rite, cherish it and. according to their ability, observe it,4 without prejudice to the right of recourse in special cases of persons, communities or regions to the Apostolic See which, as supreme arbiter of inter-ecclesial relations, will itself or through other authorities provide for needs in an ecumenical spirit by issuing timely norms, decrees or rescripts.

3 Pius XII: *Motu proprio, Cleri sanctitati,* 2 Jun., 1957: can. 4.

4 Pius XII: *Motu proprio, Cleri sanctitati,* 2 Jun., 1957: can. S: "without permission of the Apostolic Sec," following the practice of previous centuries: likewise as regards baptized non-Catholics can. 11 says: "they may embrace the rite they prefer"; in the proposed text the observance of rite by all and everywhere on earth was put in a positive manner.

PRESERVATION OF THE SPIRITUAL HERITAGE OF THE EASTERN CHURCHES

5. History, tradition and very many ecclesiastical institutions bear very clear witness to the great extent the Eastern Churches have deserved well of the Church universal? Wherefore the holy Synod not only pays honor to this ecclesiastical and spiritual heritage with due esteem and just praise but also steadfastly considers it as the heritage of the universal Church of Christ. For this reason it solemnly declares that the Churches of the East as well as those of the West possess the right and have the obligation to govern themselves in accordance with their own special disciplines in as much as they are graced with venerable antiquity, are more in keeping with the character of their faithful and seem better suited to procure the good of souls.

6. All those of the East should know and regard as certain that they may and should always preserve their legitimate liturgical rites and their culture and only by reason of organic advancement of their own good should changes be introduced. All of these, therefore, must be observed with the utmost fidelity by the Orientals themselves. Further, they should daily acquire a greater knowledge and a more perfect use of them and, if because of circumstances of times or persons they have unwarrantedly fallen away from them, they should endeavor to return to their ancestral traditions. Conversely, those who by reason of office or apostolic ministry have frequent dealing with the Oriental Churches or with their faithful should be accurately instructed," in proportion to the gravity of their office, in the knowledge and cult of the rites, the culture, doctrine, history, and character of the Orientals. Furthermore, it is strongly recommended that for a more effective apostolate religious institutes and associations of the Latin rite who are working in Eastern areas or among the Oriental faithful, should, in as far as it is possible, set up houses and even provinces of the Oriental rite?

Ci Leo XIII Litt Ap. *Orientalium dignitas,* 30 Nov., 1894; Ep. Ap. *Prat clara gratulationis,* 20 Jun , 1894. and the documents referred to in note 2.

Ci Benedict X\ *Motu proprio, Orientis catholici,* 15 Oct, 1017; Pius XI L'.tt enc *Herurn orientalium,* 8 Sept., 1028; etc.

The practice of the Catholic Church in the times of Pius XI, Pius XII and John XXIII gives ample proof of this movement.

ORIENTAL PATRIARCHS

7. From very ancient times the patriarchate has existed in the Church as an institution long since recognized by the first Ecumenical Synods.[8]

Now, by the term *Oriental Patriarch* is understood a Bishop who possesses jurisdiction over all Bishops — not excepting Metropolitans — clergy and people of his territory or rite according to the norm of law and without prejudice to the primacy of the Roman Pontiff.[9]

Whenever a Hierarch of some rite is set up outside the boundaries of patriarchal territory, he remains attached according to law to the hierarchy of the patriarchate of the same rite.

8. Even though some Patriarchs of the Eastern Churches are senior to others by time, all are nevertheless equal as far as the patriarchal dignity is concerned, without prejudice to the lawfully established precedence of honor among them.[10]

9. In keeping with the very ancient tradition of the Church, Patriarchs of the Eastern Churches must be honored with special respect for the reason that each one presides over his patriarchate as father and head.

Consequently, this holy Synod has determined that their rights and privileges should be restored in accord with the ancient tradition of each Church and the decrees of Ecumenical Synods.[11]

These rights and privileges, however, are those which obtained at the time of the union of the East and the West, even though they must be somewhat adapted to modern conditions.

The Patriarchs with their synods constitute the highest authority for all business of the patriarchate, not excluding the right to set up new eparchies and to nominate Bishops of their rite within the boundaries of the patriarchal territory, without

8 Cf. Synodum Nicaenam I, can. 6; Constantinopolitanam I, can. 2 ct 3; Chalccdoncnscm, can. 28, can. 9; Constantinopolitanam IV, can. 17, can. 21; Lateranensem IV', can. 5, can. 30; Florentinam, Deer, pro Graecis; etc.

9 Cf. Synodum Nicaenam I, can. 6; Constantinopolitanam I, can. 3; Constantinopolitanam IV', can 17; Pius XII: *Motu proprio, Cleri sanctitati,* can. 216, § 2, 1°.

10 In synodis oecumenicis: Nicaena I, can. 6; Constantinopolitana I, can. 3; Constantinopolitana IV, can. 21; Lateranensi IV, can. 5; Fiorentina, Deer, pro Graecis, 6 Jul., 1439; §9. Cf. Pius XII: *Motu proprio, Cleri sanctitati,* 2 Jun., 1957: can. 219, etc.

11 Cf. supra, note 8.

prejudice to the inalienable right of the Roman Pontiff to intervene in individual cases.

10. What has been said of Patriarchs holds true also, in accord with law, of major Archbishops who preside over the whole of a certain individual Church or rite.[12]

11. Since the patriarchate as an institution in the Eastern Churches is the traditional form of government, the holy Ecumenical Synod earnestly wishes that, where there is need, new patriarchates be erected but their establishment is reserved to an Ecumenical Synod or to the Roman Pontiff.[13]

THE DISCIPLINE OF THE SACRAMENTS

12. The holy Ecumenical Synod confirms and praises the ancient discipline of the sacraments which obtains among the Eastern Churches as well as the practice pertinent to their celebration and administration and, if the case warrants it, earnestly desires that it be restored.

13. The discipline regarding the minister of Holy Chrism which has obtained among the Easterners from the most ancient times should be fully restored. Consequently priests can validly confer this sacrament, using chrism blessed by a Patriarch or by a Bishop.[14]

12 Ci. Synodum Ephesinam, can. 8; Clemens VII: *Decet Romanum Pontificem,* 23 /eb., 1596; Pius VII; Litt. Ap. *In universalis Ecclesiae, 22* Feb., 1807; Pius XII: *Motu proprio, Cleri sanctitati, 2* Jun., 1957: can. 324-339; Syn. Carthaginen., an. 419, can. 17.

" Syn. Carthaginen., an. 419, can. 17 et 57; Chalcedoncnsis, an. 451, can. 12; S Innocentius I: Litt. *Et onus et honor,* a. c. 415: "Nam quid sciscitaris"; S. Nicolaus I: Litt. .Id *consulta vestra,* 13 Nov., 866: "A quo autem"; Innocentius III Lilt. *Rex* region, 25 Feb., 1204; Leo XII: Const. Ap *Petrus Apostolorum Princeps,* 15 Aug., 1824; Leo XIII: Litt. Ap. *Christi Domini,* an. 1895; Pius XII: *Motu proprio, Cleri sanctitati, 2* Jun., 1957: can. 159.

u Cf. Innocentius IV: Ep. *Sub catholicae, 6* Mar., 1254: §3, n. 4; Syn. Lugdunensis II. an. 1274 (professio fidei Michaelis Paleologi Gregorio X oblata) ; Eugcnius IV, in Syn. Fiorentina: Const. *Exsultate Deo, 22* Nov., 1439: §11, Clemens VIII: Instr. *Sanctissimus,* 31 Aug., 1595; Benedictus XIV Const. *Etsi pastoralis, 26* Mail, 1742: §11, n. 1, § III, n. 1, etc.; S>n Laodicena, an. 347/381. can. 48; Syn. Sisen. Armenorum, an. 1342; Syn Libanen Maronitarum, an 1736, P. II, Cap. III, n. 2; et aliae Synodi particulares.

14. All Eastern priests can validly confer this sacrament, either together with baptism or separately, on all the faithful of any rite, not excluding the Latin rite; the prescriptions of law, both common and particular, must be observed for licitness.[15] Also priests of the Latin rite, in accord with faculties they enjoy regarding the administration of this sacrament, can validly administer it also to the faithful of the Eastern Churches but without prejudice to rite; the prescriptions of law, whether common or particular, must be observed as regards licitness.[16]

15. On Sundays and feast days the faithful are obliged to take part in the Divine Liturgy or, according to the prescriptions or custom of each one's one's rite, in the celebration of the Divine Praises *(Laudes Divinae).*[17] In order that the faithful may more easily discharge this obligation, it is set down that the time available for fulfilling this precept runs from Vespers of the vigil to the end of the Sunday or feast.[18] It is strongly recommended that on these days, nay, more frequently, yes, or even daily, the faithful receive the Holy Eucharist.[19]

16. Because of the fact of daily intermingling of the faithful of different individual Churches in the same Eastern region or territory, the faculty of priests of any rite whatever to hear confessions, if duly granted by their own Hierarchs without any

15 Cf. S. C. S. Officii: Instr, (ad Ep. Sccpusien.), an. 1783; S. C. de Prop. Fid. (pro Coptis), 15 Mar., 1790: η. XIII; Deer., 6 Oct., 1863: C, a; S. C. pro Eccl. Orient., 1 Maii, 1948 [Canon Law Digest, 3, p. 29]; S. C. S. Officii: rcsp. 22 Apr., 1896 cum litt. 19 Maii, 1896.

10 CIC, can. 782 §4; S. C. pro Eccl. Orient.: Decretum "De Sacramento Confirmationis administrando etiam fidelibus orientalibus a presbyteris latini ritus, qui hoc induito gaudent pro fidelibus sui ritus," 1 Maii, 1948 [Canon Law Digest, 3, p. 29].

17 Cf. Syn. Laodicen., an. 347/381, can. 29; S. Niccphorus CP., cap. 14; Syn. Duincn. Armcnorum, an. 719, can. 31; S. Theodorus Studita: sermo 21; S. Nicolaus I: Litt. *Ad consulta vestra,* 13 Nov., 866: "In quorum Apostolorum"; "Nos cupitis"; "Quod interrogatis"; "Praeterea consulitis"; "Si die Dominico"; et Synodi particulares.

18 This is something new, at least where the obligation to hear the Sacred Liturgy obtains; otherwise it is consistent with a liturgical day among the Easterners.

19 Cf. Canones Apostolorum, 8 et 9; Syn. Antiochena, an. 341, can. 2; Timotheus Alexandrinus: interrogat. 3; Innocentius III: Const. *Quia divinae,* 4 Jan., 1215; and very many more recent particular Synods of Oriental Churches.

limitation, extends to the whole territory of the grantor as well as to the places and faithful of any rite whatever within that same territory unless the local Hierarch has expressly refused this regarding places of his rite.[20]

17. In order that the ancient discipline regarding the sacrament of Orders may again obtain in Eastern Churches, this holy Synod earnestly desires that, where it has fallen into disuse, the institution of a permanent diaconate be reestablished.[21] As for the subdiaconate, on the other hand, and the lower Orders and their rights and obligations, the legislative authority of each individual Church should provide.[22]

18. To forestall invalid marriages when Eastern Catholics enter into marriage with baptized Eastern non-Catholics and to provide for the stability and holiness of marriage as well as for domestic peace, the holy Synod has determined that the canonical form of celebration for these marriages obliges only as to licitness; for validity the presence of a sacred minister suffices, provided that the other requirements of the law are observed.[23]

20 Without prejudice to territorial jurisdiction, the canon intends, for the good of souls, to provide for multiple jurisdiction within the same territory.

21 CL Syn. Nicaena I, can. 18; Syn. Neocaesarien., an. 314/325, can. 12; Syn. Sardicen., an. 343, can. 8; S. Leo M.: Litt. *Omnium quidem,* 13 Jan., 444; Syn. Chalcedonem, can. 6; Syn. Constantinopolitana IV, can. 23, 26; etc.

22 Among a number of the Eastern Churches the subdiaconate is considered a minor Order, but Pius XII, in his *Motu proprio, Cleri sanctitati,* prescribed for it the obligations of major Orders. The canon, derogating from the common law of *Cleri sanctitati,* proposes a return to the ancient discipline of the individual Churches in what pertains to the obligations of subdeacons.

23 Cf. Pius Xll·. *Motu proprio, Crebrae allatae,* 22 Feb., 1949: can. 32, §2, S' (faculty of Patriarchs to dispense from form); Pius XII: *Motu proprio, Cleri sanctitati,* 2 June, 1957: can. 267 (faculty of Patriarchs to grant radical sanation) ; S. C. of the Holy Office and S. C. for the Oriental Church, in the year 1957, granted (for a five-year period) the faculty to dispense from form and to sanate because of defect of form: "outside patriarchates, to Metropolitans and other local Ordinaries . . . who have no superior below the Holy See."

DIVINE WORSHIP

19. In the future, to establish, transfer or suppress feast days common to all Eastern Churches belongs only to an Ecumenical Synod or to the Apostolic See. On the other hand, to establish transfer or suppress feast days for one of the individual Churches, competency, in addition to that of the Apostolic See, belongs to Patriarchal or Archiépiscopal Synods; nevertheless, due consideration is to be had of the whole region and the other individual Churches.24

20. Until welcome agreement regarding the one day on which the feast of Easter is to be celebrated by all is arrived at by all Christians, to provide interim unity among Christians living in the same region or nation, it is left to the Patriarchs or local Supreme Ecclesiastical Authorities to settle on the celebration of the feast of Easter on the same Sunday, provided unanimous consent is had and counsel of those concerned has been taken.25*

21. Individual members of the faithful dwelling outside the region or territory of their rite may, as regards the law about sacred seasons, fully conform to the discipline obtaining in the place where they are living. In mixed-rite families it is permissible to observe this law according to one and the same rite.28

22. Eastern clerics and religious should, in accordance with the prescriptions and traditions of their own discipline, celebrate the Divine Praises which even from ancient times have been held in great honor by all the Eastern Churches.27 The faithful also, following the example of their ancestors, should in propor-

24 Cf. S. Leo M.: Litt. *Quod saepissime,* 15 Apr., 454: "Petitionem autem"; S. Nicephorus CP: cap. 13; Syn. Sergii Patriarchae, IS Sept., 1596. r<»n. 17; Pius VI: Litt. Ap. *Assueto paterne,* 8 Apr., 1775; etc.

23 Cf. Syn. Vaticana II: Const. *De Sacra Liturgia,* 4 Dec., 1963 [reported in this volume under canon 2].

20 Cf. Clemens VIII: Instr. *Sanctissimus,* 31 Aug., 1595: *§ 6:* "Si ipsi graeci"; S. C. S. Officii, 7 Jun., 1673: ad 1 et 3; 13 Mar., 1727: ad 1; S. C. de Prop. Fid.: Decret. 18 Aug., 1913: art. 33; Decret. 14 Aug., 1914: art. 27; Decret. 27 Mar., 1916: art. 14; S. C. pro Eccl. Orient.: Decret. 1 Mar., 1929: art. 36 [Canon Law Digest, 1, p. 151; Decret. 24 Maii, 1930: art. 41 [Canon Law Digest, 1, p. 37].

27 Cf. Syn. Laodicen., 347/381, can. 18; Syn. Mar Isaaci Chaldaeorum, an. 410, can. 15; S. Nerses Glaien. Armenorum, an. 1166; Innocentius IV:

tion to their ability, devoutly apply themselves to the Divine Praises.

23. To the Patriarch with his Synod or to the Supreme Authority of each Church with his Council of Hierarchs belongs the right to regulate the use of languages in sacred liturgical functions as well as to approve, after referral to the Apostolic See, translations of texts into the vernacular language.[28]

RELATIONS WITH THE BRETHREN OF THE SEPARATED CHURCHES

24. To the Eastern Churches in communion with the Apostolic See pertains the special duty of promoting unity among all Christians, but particularly Eastern Christians, according to the principles of this holy Synod's decree "On Ecumenism," especially by prayers, the example of their life, religious fidelity to the ancient Eastern traditions, better knowledge of one another, collaboration and fraternal esteem for things and ideas.[29]

25. No more should be demanded from separated Easterners coming into Catholic unity under the influence of the grace of the Holy Spirit, than what a simple profession of the Catholic faith demands. Further, since a valid priesthood has been preserved among them, Eastern clerics coming into the Catholic unity have the right to exercise their Order in accordance with the norms established by the competent authority.[30]

26. Participation in divine worship *(communicatio in sacris)* which offends against Church unity or involves formal adherence to error or danger of aberrations in faith or danger of scandal or of indifferentism is prohibited by divine law.[31] On the other

Ep. *Sub catholicae,* 6 Mar., 1254: §8; Benedictus XIV: Const. *Etsi pastoralis,* 26 Maii, 1742: § 7, n. 5; Instr. *Eo quamvis tempore,* 4 Maii, 1745: §§ 42 ss.; et Synodi particulares recentiores: Armenorum (1911), Coptorum (1898), Maronitarum (1736), Rumenorum (1872), Ruthenorum (1891), Syrorum (1888).

28 From Eastern tradition.

29 From the tenor of papal Bulls for the union of individual Eastern Catholic Churches. [The Decree on Ecumenism is reported in this volume under canon 1258.]

This is a synodal obligation both as regards the separated Eastern brethren and as regards all Orders of any grade whatever, whether of divine or ecclesiastical law.

3'This doctrine holds true also in the separated Churches.

hand, pastoral practice clearly shows that, as far as the Eastern brethren are concerned, consideration can and must be given to various circumstances of individual persons where neither Church unity is impaired nor are there present the dangers which must be avoided but where the needs of salvation and the spiritual good of souls are paramount. As a result, the Catholic Church, in view of circumstances of times, places, and persons, has often employed and is employing a more lenient plan of action through participation in the sacraments and in other sacred functions and matters, thus offering to all the means of salvation and a testimonial of charity among Christians. After consideration of these matters, and "lest, because of the severity of our judgment, we be an obstacle to those who are saved,"[32] and in order the more to promote union with the Eastern Churches separated from us, the holy Synod has determined on the following program of action.

27. If the above-mentioned principles are set as a foundation, the sacraments of Penance, the Eucharist and the Anointing of the Sick may be conferred on Easterners who are actually separated from the Catholic Church, if, of their own accord, they request them and are duly disposed. Moreover, Catholics also may request the same sacraments from those non-Catholic ministers whose Churches have valid sacraments, as often as necessity or true spiritual usefulness recommends such action and access to a Catholic priest turns out to be physically or morally impossible.[33]

28. Likewise, with the same principles as a foundation, participation in sacred functions, things, and places between Catholics and their separated Eastern brethren is permitted for a just cause.[34]

29. This more lenient program of participation in divine

32 S. Basilius M.: *Epistola canonica ad Amphilochium, PG* 32:669 B.

33 The bases for the mitigation arc considered to be: 1) the validity of the sacraments; 2) good faith and disposition; 3) the needs of eternal salvation; 4) absence of a priest of one's own rite; 5) exclusion of the dangers which must be avoided and of formal adherence to error.

34 The issue is on so-called "extrasacramcntal participation in divine worship." It is the Council which grants the mitigation, with observance of what must be observed.

worship with the brethren of the separated Eastern Churches is committed to supervision and regulation by the local Hierarchs so that, after taking counsel among themselves and, if the case warrants it, after having also listened to the Hierarchs of the separated Churches, they may regulate the relations of Christians with timely and effective precepts and norms.

CONCLUSION

30. The holy Synod is very happy over the productive and assiduous collaboration of the Eastern and Western Catholic Churches and at the same time declares: all these provisions of law are set down in view of prevailing conditions until such time as the Catholic Church and the separated Eastern Churches enter into full communion.

Meanwhile, however, all Christians, Eastern as well as Western, are earnestly asked to pour out fervent and constant, indeed daily, prayers to God that, with the help of the most holy Mother of God, all may become one. Let them also pray that the fulness of the strength and consolation of the Holy Spirit, the Paraclete, may flow out to so many Christians, no matter which be their Church, who, vigorously professing the name of Christ, are undergoing suffering and privation.

Let us all love one another with the affection of brothers and anticipate each other in showing honor (Rom. 12:10).

Each and every one of these points proclaimed in this decree was approved by the Fathers. And We, by the apostolic power granted to Us by Christ, together with the Venerable Fathers, approve, decree and establish them in the Holy Spirit and order that what has been thus set down by the Synod, be promulgated to the glory of God.

At Rome, at St. Peter's, the twenty-first day of November, in the year 1964.

I, Paul, Bishop of the Catholic Church

(The signatures of the Fathers follow.)

NOTIFICATION

For the decree *On Eastern Catholic Churches* the Supreme Pontiff has established a suspension of law (vacatio *legis}* for

two months but the faculty is granted to Patriarchs to reduce or to extend that period for a just cause.

•l· Pericles Felici
Titular Archbishop of Samosata
Secretary General of the
Holy Ecumenical Vatican Council II

AAS 57-76; Cone. Vat. II., Decree, 21 Nov., 1964. Annotations in *The Jurist, 25* (1965)–173–225 (VVojnar) ; *Unitas,* 12 (1965)–28–41 (Pujol); *Orientalium Ecclesiarum: The Decree on the Eastern Catholic Churches of the II Council of Vatican* by Victor Pospishil (New York: Fordham University Press, 1965); *Australasian Catholic Record,* 44 (1967)-309-324 (Madden).

Confirmation in Case of Converts From Orthodox Churches (S. C. Eccl. Or., S May, 1962; U. S. Apost. Del., 4 Apr., 1965) Private.

Case. On 30 March, 1965, the Cleveland Chancery sought guidance from the U. S. Apostolic Delegate in the matter of confirmation of a party converted from the Orthodox faith: "Is it proper to recommend conditional confirmation following profession of faith because of doubtful matter? We are aware that the Orthodox priest can validly administer the sacrament of confirmation, but we ask if we should have concern for the validity of the matter he may use, since it must be olive oil mixed with balsam and blessed by the Bishop."

Reply. On 4 April, 1965, the U. S. Apostolic Delegate replied that he had previously inquired of the Holy See about the point in question and then observed: "Under date of 8 May, 1962, the Sacred Congregation for the Oriental Church replied that a definitive solution of the problem must await the publication of that part of the Oriental Code which treats of confirmation and the solution of certain problems that have arisen within the Ecumenical Commission." The Apostolic Delegate then continued: "In this country the Ordinaries of the Byzantine Rite have observed the practice of usually repeating confirmation *sub conditione.*"

(Private); S. C. Eccl. Or., 8 May, 1962, cited in reply by the U. S. Apost. Del., 4 April, 1965; reported by the 1965 Committee on Research of the Canon Law Society of America.

Trullan Canon 72 Invoked to Declare Marriage Null (Holy Office, 7 May, 1965) Private.

Case. On 14 December, 1962, through the Most Reverend Apostolic Delegate to the United States, there was presented to the Supreme Sacred Congregation of the Holy Office the case of H. G., a non-Catholic man, who married V. P. before a non-Catholic minister on 23 July, 193S, in Indiana. There is doubt about the baptismal status of H. G.

V. P., born on 16 February, 1907, testified that she thinks she was baptized as a Greek Orthodox, since her parents belonged to that religion. She was born in Austria-Hungary, the part which now belongs to Yugoslavia, and she says her baptism occurred there. Her father is deceased; her mother too ill to testify; and the rest of her family would not cooperate. There seemed no possibility of establishing her baptismal status.

She had been married previously to L. M., an unbaptized man, around 1927 in Indiana. Actual marriage record of this union was unavailable, or, at least, could not be located after diligent inquiry and search. L. M. died 25 June, 1947. Testimony of his sister and an aunt vouches for the non-baptism of L. M.

H. G. and V. P. were divorced in 1960.

Reply. Concerning the alleged nullity, on grounds of disparity of cult or ligamen, of the marriage contracted between H. G., probably not baptized, and V. P., Greek Orthodox, this Supreme Sacred Congregation believes it must reply: There is proof of nullity of marriage in the instance, at least according to can. 72 of the Council in Trullo.

(Private); Holy Office, 7 May, 1965, Prot. No. 227m/63; summary of case and copy of original reply kindly sent us by the Rev. Robert A. Amann, Assistant Chancellor of the Archdiocese of Cincinnati.

Maronites: New Apostolic Exarchate for U. S. (Paul VI, Ap. Const., 10 Jan., 1966) AAS 59-529.

The dispositive part of this apostolic constitution follows.

According to the judgment of Our Venerable Brother the Cardinal Secretary of State, and by Our supreme authority, We establish a new Apostolic Exarchate in the territory of the United States for the faithful of the Antiochene Maronite rite. It will

be like a suffragan of the metropolitan See of Detroit, with its seat in the city of Detroit, and will have as its exarchial church the church that is dedicated to God in honor of Saint Maron in that city. Exarchial consultors also will be chosen to assist the sacred Exarch by their advice and support. The so-called "*mensa*" of the exarchate will be made up of the free-will offerings of the faithful, the contributions of the parishes and the income from the property of the exarchate. As for the seminary, the major seminary which was recently founded is to be more and more favored and developed. Finally, the rights of the newly-established exarchate and of its Prelate are to be determined according to the apostolic letter *Cleri sanctitati,* concerning Oriental rites and persons, that is, canons 366 to 387. It is understood, however, that the powers of jurisdiction of the Exarch over the faithful of the Maronite rite is not exclusive but cumulative with that of the local Ordinaries, who however will use it only in a secondary manner. In places where there is no curia or priest for the Maronites, the corresponding authority of the Latin rite will take care of them until a prelate or priest of their own rite is appointed.

Given at Rome from St. Peter's, 10 Jan., 1966.

AAS 59-529; Paul VI, Ap. Const., 10 Jan., 1966.

Decree *"Christus Dominus":* Term of Supension for the Oriental Church (S. C. Eccl. Or., Declaration. 6 lune. 1966) AAS 58-523.

At the request of the undersigned Cardinal Pro-Prefect of the Sacred Congregation for the Oriental Church, His Holiness by divine Providence Pope Paul VI, in the Audience of the 6th of this month, graciously granted that for the Oriental Churches the *vacatio legis* as regards n. 8b of the conciliar decree *Christus Dominus,* on the Pastoral Office of Bishops, be extended so as to come to an end on the day which will be indicated in the corresponding executory decree soon to be promulgated.

Given at Rome from the headquarters of the Sacred Congregation for the Oriental Church, 6 June, 1966.

AAS 58-523; S. C. Eccl. Or., 6 June, 1966.

Blessing of Marriage by Greek Orthodox Priest Permitted (S. C. Doct. Fid., 16 June, 1966) Private.

Case: Mr. and Mrs. Y. Z. were validly married at St. Joseph's Catholic Church in Waukegan, Illionis. Mrs. Z. is a member of the Greek Orthodox Church.

The Greek Orthodox pastor of Three Hierarchs Church in Champaign asked that he be allowed to bless this marriage to enable Mrs. Z. to rectify her marital status in that Church and receive the sacraments.

The discipline of the Greek Orthodox Church requires the blessing of the Orthodox priest for the validity of a marriage in which at least one party is Orthodox. Herein lies the crux of the difficulty. In any other mixed marriage the non-Catholic party may still maintain his proper ecclesiastical standing and be admitted to the sacraments in his respective Church. Only with the Orthodox is there a clear conflict of canonical requirements with the Catholic Church. Thus, an Orthodox who married a Catholic according to the canonical form of canon 1094 sq., i.e., before a Catholic priest, is deprived of the sacraments.

According to the norms published by the Supreme Sacred Congregation of the Holy Office? 31 July, 1965: "3. However, if in an extraordinary case, in order to avoid greater evil, it shall be altogether necessary to tolerate that some form of religious ceremony be had in a non-Catholic church as such (z'n *which case renewal oj matrimonial consent is always excluded),* it must be done without display. Every precaution is to be employed to prevent scandal or wonderment on the part of the people. The Ordinary is gravely bound in conscience and must keep in view the danger of spreading religious indifferentism and relativism."

This is certainly an extraordinary case. Moreover, in the question of "in order to avoid greater evil," no greater evil can be imagined than that this woman suffer the anguish of being deprived of the sacraments. Since she does not intend to become a Catholic, according to present discipline she cannot and does not wish to receive the sacraments in the Catholic Church and thus continue to be deprived of her proper standing in the Greek Orthodox Church.

' This document is reported in full below, p. 609. The date of the norms themselves is 13 July, 1Q65 ; they were distributed from the office of U S. Apostolic Delegate on 31 July, 1965.

I believe that there is no real concern about the possibility of scandal, for I am assured that there would be none.

Concerned as we were about being assured that there would be no renovation of consent, we wrote the Greek Orthodox pastor, asking him to detail his own belief and the ritual procedure that would be followed. I am enclosing a copy of our letter and his reply.

From the testimony of the Greek Orthodox pastor, Father B. P., it is not clear that the Catholic party, or even both parties, must receive this blessing "cum scientia vel opinione nullitatis matrimonii Catholici." I trust that he will not force this issue, as he said. As long as the Catholic party is assured that the marriage is valid and his wife and the Greek Orthodox priest know and respect his conscience in this matter. I see no theological difficulty in allowing the couple to receive the blessing of the Greek Orthodox Church on their marriage.

In view of the principles enunciated in paragraphs IS, 26, 27, 28 and 29 in the *Decree on the Eastern Catholic Churches*,[2] I think there is ample ground for allowing the couple to receive this blessing.

In respect for the conscience and religious sensitivities of the Greek Orthodox party, I believe that this should be allowed for her to be able to receive the sacraments in good conscience.

Thus, in this case I respectfully request permission to allow the Greek Orthodox priest to bless the marriage of Mr. and Mrs. Y. Z.

Reply: This S. Congregation has received from the Most Rev. Apostolic Delegate a request on behalf of Mr. and Mrs. Y. Z., already validly married, for a ceremony in the Greek Orthodox Church of which Mrs. Z. is a member.

In view of the circumstances indicated, this S. Congregation has decided to grant his permission, provided there be no renewal of consent and every precaution be taken to avoid scandal or misinterpretation.

(Private); S. C. Doct. Fid., 16 June, 1966, Prot. No. 184S/66m; copies of the documents kindly sent us by the Rev. Patrick W. Collins, Asst. Chancellor of the Peoria Diocese.

2 Reported above in this volume, p. 7.

Cessation of Force of Trullan Canon 72 (S. C. Doct. Fid., 12 Oct., 1966) Private.

The following reply was sent to the Tribunal of the New York Archdiocese as the result of a question proposed by the U. S. Military Ordinariate.

In your letter of 25 August, Your Excellency inquired what is the practice of this Sacred Congregation with regard to canon 72 of the Council of Trullo.

I hereby inform Your Excellency that canon 72 of the aforesaid Council had force until 2 May, 1949, when the *Motu proprio "Crebrae allatae"* went into effect and abolished the previous legislation whereby, in the case of Orientals, a diriment impediment obtained between parties, one of whom was Catholic and the other heretical.

As for individual cases, Your Excellency should not fail to see to it that investigation be conducted and the documents sent to this Sacred Congregation.

(Private); S. C. Doct. Fid., 12 Oct., 1966, Prot. No. 3013/66; data supplied by the Rt. Rev. Msgr. Stephen J. Kelleher, *Officialis* of the New York Archdiocese.

Doubts Concerning Vatican H's Decree on Oriental Catholic Churches (U. S. Apost. Del., 28 Nov., 1966) Private.

The following doubts were proposed to Rome but the replies came from the U. S. Apostolic Delegation.

1. Whether, notwithstanding no. 4 of the decree on Oriental Catholic Churches, baptized non-Catholics of the Oriental rite who are to be received into the Catholic Church can *validly* embrace the rite they prefer in accord with the norm of tit. 1, can. 11 of *Cleri sanctitati,*1 (thus: Pospishil, Victor J.: *Orientalium Ecclesiarum,* Fordham University, N. Y., 1965, p. 16), or whether the faculty of choosing a rite according to tit. 1, can. 11 of *Cleri sanctitati* was completely invalidated by no. 4 of the decree on Oriental Catholic Churches (thus: Wojnar, Meletius M., in *The Jurist,* Washington, D. C., April, 1965, XXV, p. 186)?

§ 1 Baptizati acatholici ritus orientalis, qui in catholicam Ecclesiam admittuntur, ritum quem maluerint amplecti possunt; optandum tamen'ut ntum proprium retineant.

2. Whether the decree on Oriental Catholic Churches began to oblige Ruthenians living in U.S.A, on 22 January, 1965 (thus: Pospishil: *ibid.,* p. 8), or if it began to oblige them on 7 April, 1965 (thus: Wojnar: *ibid.,* pp. 173-174)?

Reply: The first dubium proposed by Your Excellency is apparently still before a commission designed to resolve this doubt. However, I have received an intermediate reply from the Sacred Congregation for the Oriental Church in which I am informed that each time a non-Catholic of an Oriental rite wishes to be received into the Catholic Church in the Latin rite, the case is to be referred to the Sacred Congregation, with the usual personal data and the reasons why a return is sought without entrance into the corresponding Catholic rite.

In reply to Your Excellency's inquiry, I have learned that the Decree for the Oriental Churches began to oblige the Ruthenians of the United States on 22 January, 1965. It began to oblige Ukrainians of the United States on 7 April, 1965.

(Private); U. S. Apost. Del., 28 Nov., 1966, Prot No. 1643/66; copies of both documents kindly sent us by the V. Rev. Msgr. Albert C. Allen, *Vicc-Oflicialis* of the Detroit Tribunal.

Norms for the Dispensing Power of Bishops of Oriental Churches (Paul VI, *Motu proprio,* 2 May, 1967) AAS 59-385.

The extent of the episcopal power is clearly defined by the Second Ecumenical Council of the Vatican which We had the happiness to continue after it had been opened, and to close. In particular this definition is found in the decree beginning with the words *Christus Do·)»inus,* on the Pastoral Office of Bishops. In n. 8 of that decree we read:

a) As the successors of the Apostles, Bishops automatically enjoy in the dioceses entrusted to them all the ordinary proper and immediate authority required for the exercise of their pastoral office. But this authority never in any instance infringes upon the power which the Roman Pontiff has in virtue of his office, of reserving cases to himself or to some other authority.

Z>) Except when it is a question of matters reserved to the supreme authority of the Church, the general law of the Church gives each diocesan Bishop the faculty to grant dispensations in particular cases to the faithful over whom he exercises authority

according to the norm of law, provided he judges it helpful for their spiritual welfare.

In order to give effect to this provision, We issued, on 15 June of last year, an apostolic letter on the functions of Bishops,[1] in which We gave a list of general laws whose relaxation is reserved to Us, laws from which the Apostolic See has always refrained from dispensing or has dispensed very rarely because of matters of important concern in human society.

At about the same time, at the request of the Cardinal Pro-Prefect of the S. C. for the Oriental Church, We extended the period of suspension of the law as expressed in n. 8, b for the Oriental Churches,[2] chiefly in order that a similar list of reservations to the Holy See might be established for the Oriental Churches, a list whose composition would require even greater care because of the greater variety of discipline.

And now, after having heard and maturely considered the opinions of the S. C. for the Oriental Church, other Offices of the Roman Curia, and the postconciliar Commissions and Secretariates, with certain knowledge, by Our Apostolic Authority, We declare and decree the following.

I. The laws which our most provident Mother the Church has established, confirmed by later documents and never revoked, for the Oriental Churches, by the Apostolic Letters *Crebrae allatae* (22 Feb., 1949; AAS 41-89), *Sollicitudinem Nostram* (6 Jan., 1950; AAS 42-5), *Postquam Apostolicis Litteris* (9 Feb., 1952; AAS 44-65), and *Cleri sanctitati* (2 June, 1957: AAS 49-433), We declare to remain unchanged and sacred unless the Second Ecumenical Council of the Vatican has clearly abrogated them or modified or derogated from them in some respects.

II. Diocesan or eparchial Bishops are understood to include not only residential Bishops but others also who are equivalent to them in law.' This necessarily follows from the parity of rights which eparchial Bishops and the others equally enjoy, from the common character of these rights and from the necessity

1 AAS 58—167, reported below in this volume, p 304.

: Declaration, S. C. Eccl Or , 6 June, 1966; AAS 58-523, reported above, p. 21.

Decree *Christus Dominus* on the Pastoral Office of Bishops, n. 21.

of providing for the spiritual good of the faithful. Consequently this faculty to dispense belongs also to Exarchs who have their own territory *[Cleri sanctitati,* can. 364, § 2), Apostolic Exarchs *[ibid.,* can. 367, §1), patriarchal and archiépiscopal Exarchs (according to canons 388 and 391 of *Cleri sanctitati),* and Apostolic Administrators permanently constituted *[ibid.,* can. 355. § 1, 1°).

III. A dispensation means a *relaxation of the law in a special case.* But the faculty to dispense is exercised only as to laws which command or forbid, not as to constitutive laws.

The grant of a permission, a faculty, an induit, or an absolution, is not contained in the notion of a dispensation.

Laws concerning procedure, since they are established for the defense of rights, and since dispensation from them does not directly concern the spiritual good of the faithful, are not included in the faculty which is mentioned in the decree *Christus Dominus,* η. 8, b.

IV. In the term, general laws of the Church, are included merely disciplinary laws enacted by the supreme ecclesiastical authority and binding everywhere on earth upon those for whom they were made; but not those divine laws, natural or positive, from which the Supreme Pontiff alone, using his vicarious power, can dispense; which is the case in dispensation from sacramental nonconsummated marriage, from those marriages that concern the privilege of the faith, and from some others.

V. A particular case concerns not only individual persons but also a number of physical persons constituting a community in the strict sense.

VI. The faithful upon whom the power of dispensing is exercised according to law are all those, whether of the same or of a different rite, who are subject to the Bishop by reason of domicile or on some other ground *[Cleri sanctitati,* can. 22).

VII. For granting a dispensation there is required a just and reasonable cause, taking into account the gravity of the law from which the dispensation is given. The spiritual good of the faithful is a legitimate cause for a dispensation *[Christus Dominus,* η. 8, b).

VIII. Without prejudice to the faculties which legitimately pertain to Patriarchs, Major Archbishops, Legates of the Roman

Pontiff and Hierarchs, the following dispensations are expressly reserved to Us:

1. From the obligation of celibacy, that is, the prohibition of contracting marriage, which is binding on deacons and priests even if they have been lawfully reduced to the lay state or have returned to it, in those rites which do not admit married clerics *(Cleri sanctitati,* can. 157, § 2); and also in other rites if the persons concerned freely chose celibacy.

2. In rites which do not admit married clerics, the dispensation from the prohibition of exercising the Order of the priesthood, which binds married men who received that Order without a dispensation from the Holy See *(ibid.,* can. 72, § 2).

3. From the prohibition of practicing business or trading, personally or through others, for one's own benefit or that of others, which applies to clerics in a major Order *(ibid.,* can. 83).

4. From the general laws which apply to monks and other religious as such and not insofar as they are subject to Patriarchs and local Hierarchs according to law, especially the conciliar decree *Christus Dominus,* nn. 33-35, always without prejudice to religious discipline and the rights of their own Superior.

From other general laws, only when there is question of monks of an exempt monastery or religious of a clerical exempt institute by pontifical exemption.

5. From the obligation of denouncing a priest who is guilty of the crime of solicitation in confession according to the constitution of Benedict XIV *Sacramentum Poenitentiae* (1 June, 1741; Document V of the Code of Canon Law, AAS 9-505).

6. From the want of the required age for validly contracting marriage, if the deficiency is more than two years *(Crebrae allatae,* can. 32).

7. From the matrimonial impediment arising from the deaconship or the sacred Order of the priesthood, or from a solemn or major religious profession *(ibid.,* can. 62 § 1 and can. 63).

8. From the impediment of crime mentioned in canon 65, 2° and 3°.

9. From the impediment of consanguinity in the direct line and up to the third degree of the collateral line *(ibid.,* can. 66).

10. From the impediment arising from affinity due to *digenea* in the direct line *(ibid.,* canons 67 and 68).

11. From all matrimonial impediments in the case of mixed

marriages when the conditions required by law cannot be observed *{ibid.,* can. 51).

12. From the form prescribed by law for validly contracting marriage.

13. From the law requiring renewal of consent in a *sanatio in radice* whenever:

a) a dispensation is needed from an impediment reserved to the Apostolic See;

b) there is question of an impediment of the natural or divine law, which has ceased;

c) there is question of mixed marriages and the conditions required by law have not been observed *{ibid.,* can. 51).

14. From a vindicative penalty of the common law, which was declared or indicted by the Apostolic See itself.

15. From the time prescribed for the eucharistie fast.

The norms concerning the dispensing powers given to Bishops according to the conciliar decree *Christus Dominus* shall go into effect on the 6th day of August of this year, the Transfiguration of our Lord Jesus Christ.

All that We have decreed by this *motu proprio* apostolic letter, We ordain to be firm and valid, all things to the contrary notwithstanding.

Given at Rome, from Saint Peter's, the second of May, feast of Saint Athanasius, Bishop and Doctor, in the year 1967, the fourth of Our Pontificate.

AAS 59-385; Paul VI, *Motu proprio,* 2 May, 1967. Annotations in *Periodica,* 57 (1968)–3–79 (Rezac).

Armenian Church: Allocution. Paul VI to Armenian Patriarch. 9 May, 1967 (AAS 59-510).

Determination of Marriage Rite Unchanged by Nonpractice of Catholicism. See c. 1097; U. S. Apost. Del.. 13 Jan., 1965.

Dissolution of Marriage Involving Oriental Impediment of Disparity of Cult. See c. 1127; S. C. Eccl. Or., 12 April, 1965.

Ecumenism and the Oriental Separated Churches. See c. 1258; Cone. Vat. II, 21 Nov., 1964, chap. III, sect. I.

Great Britain: Apostolic Exarchate for Ukrainians: the jurisdiction of the exarchate established 10 June, 1957,[1] for England and Wales is now ex-

[1] Reported in Canon Law Digest, 5, p. 16.

tended to include Scotland and the exarchate will henceforth be known as the Apostolic Exarchate for Ukrainians in Great Britain. S. C. Or. Eccl., 8 Mar., 1967 (AAS 60-51).

Greek-Ruthenians: New Apostolic Exarchate for Ukrainians in Brazil, John XXIII, Ap. Const., 30 May, 1962 (AAS 55-218).

Inter-ritual Marriage: Dispensation for, no longer reserved to Holy See. See c. 329; S. C. Doct. Fid., 1 Feb., 1967.

Marriage of Catholics with Baptized Non-Catholic Orientals. See c. 1061; AAS 59-165.

Mixed-Rite, Mixed-Marriage Ceremony. See c. 1097; S. C. Eccl. Or., 28 Sept., 1962.

Non-Catholic Orientals: Marriage with, by Catholics of either the Oriental or Latin rite. See c. 1061; S. C. Eccl. Or., 22 Feb., 1967.

Oriental Ecclesiastical Studies. See c. 1365, ref.; AAS 57-347.

Oriental Patriarchs as Cardinals. See c. 231 ; AAS 57-295.

Separated Oriental Churches: Friendly message of Paul VI to Prelates. See c. 218; AAS 56-1021.

Trullo Cases: Changed procedure for handling. Sec c. 247; U. S. Apost. Del., 20 Jan., 1967.

CANON 2

Second Class Votive Mass of Our Lord Allowed on Second Class Sunday (S. C. Rit., 20 July, 1961) Private.

The Very Reverend John Humphreys, Ordo editor for the Archdiocese of Birmingham, England, requested from the Sacred Congregation of Rites, a solution to the following doubt:

In view of n. 317 of the *Code oj Rubrics*[1] in conjunction with n. 355, may a second class votive Mass of our Lord (e.g., the Mass of the Blessed Sacrament on the occasion of Forty Hours) be celebrated on Sundays of the second class?

Reply, *hi the affirmative.*

(Private); S. C. Rit., 20 July, 1961, Prot. N. B. 52/961; reported in *Ephemerides Liturgicae, TI* (1963)–188 with annotations on p. 190.

Doubts Regarding the Roman Ritual (S. C. Rit., 7 Nov., 1962) Private.

His Excellency, Joseph Grimshaw, Archbishop of Birmingham, President of the Liturgical Commission for England, with a view to re-editing the Ritual granted to the dioceses of England by

[1] Reported in Canon Law Digest, 5, pp. 27-120.

the decree of the Sacred Congregation on 14 January, 1959, proposed the following doubts for solution by the Sacred Congregation of Rites:

1. Should all antiphons contained in the Roman Ritual always be said completely both before and after a psalm?

2. In the prayers in the Roman Ritual, should the short conclusion always be used?

3. At the end of the burial rite for infants, is it still appropriate to recite the canticle *Trium Puerorum* while the priest returns from the grave to the church?

4. In the functions set down in the Roman Ritual, should only the new version of the psalms according to the 1952 typical edition be used in such wise that the old version would be completely prohibited?

Reply. After mature consideration, the Sacred Congregation of Rites replied to the proposed doubts:

To 1. *In the affirmative.*

To 2. *In the affirmative,* except for the prayers recited in the administration of confirmation.

To 3. *In the negative.*

To 4. *In the negative.*

(Private); S. C. Rit., 7 Nov., 1962, Prot. N. B. 18/957; reported in *Ephemerides Liturgicae,* 77 (1963)–1SS with annotations on p. 190.

Questions Regarding I and II Class Feasts (S. C. Rit., 6 Mar., 1963) Private.

His Excellency, the Archbishop of Birmingham, President of the Liturgical Commission for England, reverently proposes the following doubts for solution by the Sacred Congregation of Rites:

1. Which lessons must be used for the second and third nocturnes when a feast is celebrated in a particular church with the rite of I or II class but which has either no lessons or only one historical lesson in the neiv breviary and its supplement?

2. For the Office of the Titular of a church concerning which nothing is to be found in the Roman breviary, should everything be recited from the respective Common?

3. In England the feast of Sts. John Fisher and Thomas

More, Martyrs, is celebrated on July 9th as I class. However, some churches in this region are dedicated either to St. John Fisher or to St. Thomas More. It is therefore asked: Should the titular feast of such a church be celebrated on July 9th with the Office and Mass as in the whole Kingdom, or should the titular feast be celebrated on the respective birthday of the Saint (June 22nd for St. John Fisher; July 6th for St. Thomas More)?

And in the supposition that the reply is affirmative to the second part, what should be recited as the Office and Mass of the Titular Saint?

The Sacred Congregation of Rites, having attended to the recitals, decided to reply to the proposed doubts:

To 1: Follow n. 2IS, a of the new Code of Rubrics or, if had, an old breviarv.

To 2: *In the affirmative.*

To 3: The titular feast should be celebrated with the same Office as the feast of Sts. John Fisher and Thomas More, in accord, that is, with n. 62 of the new Code of Rubrics.

(Private); S. C. Rit., 6 Mar., 1963, Prot. N. B. 11/963; reported with annotations in *Ephemerides Liturgicae,* 77 (1963)-189-190.

Constitution on the Sacred Liturgy (Cone. Vat. II, 4 Dec., 1963) AAS 56-97.

Paul, Bishop, Servant of the Servants of God, together with the Fathers of the Sacred Council, for a permanent memorial

CONSTITUTION ON THE SACRED LITURGY

INTRODUCTION

1. The Sacred Council, since it proposes to intensify the Christian life of the faithful, to adjust more closely to the needs of today those institutions which are subject to change, to foster whatever can conduce to union among all who believe in Christ and to strengthen whatever influences may help to bring all persons into the bosom of the Church, judges that it is a particularly important part of its work to restore and promote the Liturgy.

2. For the Liturgy, through which, especially in the divine Sacrifice of the Eucharist, "the work of our Redemption is accomplished"[1] is the principal means by which the faithful may express in their lives and manifest to others the mystery of Christ and the real nature of the true Church. The Church is both human and divine, visible yet endowed with invisible powers, fervent in action yet given to contemplation, present in the world yet on the way to a further goal. What is human in her is aimed at and subordinated to the divine, what is visible to the invisible, action to contemplation, the present to the future home which we seek.[2] Consequently, while the Liturgy constanti}'· builds up those who are within into a sacred temple in the Lord, a dwelling place for God in the Spirit,[3] unto the measure of the age of the fullness of Christ,[4][5] it also marvellously strengthens their power to preach Christ, and so presents the Church to those who are without as a standard unto the nations," under which the scattered children of God may be gathered together[6] until there shall be one fold and one shepherd."[7]

3. Wherefore the Sacred Council judges that the following principles concerning the promotion and reform of the Liturgy should be called to mind and the following practical norms established.

Among these principles and norms there are some that can and should be applied both to the Roman and to all the other rites; but the practical norms which follow should be taken as referring only to the Roman rite, unless they are such as from their verv nature must affect also the other rites.

4. Finally, the Sacred Council, faithful to tradition, declares that Holy Mother Church holds all the rites lawfully recognized to be of equal right and dignity; she desires them to be observed and fostered in every way, and hopes that, where there is need of it. they may with discretion be completely revised in the light of tradition and may flourish with renewed vigor to meet the circumstances and needs of our time.

1 Secret of the XI Sunday after Pentecost.
2 Cf. Hebr. 13:14.
3 Cf. Eph. 2:21-22.
4 Cf. Eph. 4:13.
5 Ci. Is. 11:12.
6 Cf. John 11:52.
7 Cf. John 10:16.

CHAPTER I

GENERAL PRINCIPLES FOR THE RESTORATION AND PROMOTION OF THE SACRED LITURGY

I. The Nature of the Sacred Liturgy and Its Importance in the Life of the Church

5. God, who "will have all men to be saved and to come to the knowledge of the truth" (1 Tim. 2:4), and who "at sundry times and in divers manners spoke in times past to the fathers by the prophets" (Hebr. 1:1), when the fullness of time had come, sent His Son, the Word made flesh, anointed by the Holy Spirit, to preach the Gospel to the poor, to heal the contrite of heart,[8] to be "a healer for the flesh and for the spirit,"[9] a Mediator of God and men.[10] For it was His humanity, united to the Person of the Word, which was the instrument of our salvation. Therefore in Christ "came the perfect fulfillment of our reconciliation and the fullness of divine worship was given to us."[11]

This work of the Redemption of man and the perfect glorification of God, to which the wonderful works of God for His people of the Old Testament were a prelude, was completed by Christ our Lord, especially by His sacred Passion, by the paschal mystery of His Resurrection and glorious Ascension, whereby "dying He destroyed our death, and rising He restored our life."[12] For it was from the side of Christ as He slept the sleep of death upon the cross that there came forth the wondrous sacrament of the whole Church?[13]

6. Therefore, as Christ was sent by the Father, so too He sent \postles filled with the Holy Spirit, not only that by preaching the Gospel to every creature[14] they might proclaim that the Son

H Cf. Is. 61:1; Luke 4:18.

9 St Ignatius of Antioch, *To the Ephesians,* 7, 2; ed. F. X. Funk, *Patres Apostolici,* I. Tubingen, 1901, p. 218.

10 Cf. 1 Tim. 2:5.

11 Sacrainentarium Veronense: ed. Mohlberg, Rome 1956, n. 1265, p. 162.

12 Easter Preface of the Roman Missal.

13 Cf. the prayer after the second lesson of Holy Saturday, as it was in the Roman Missal before the restoration of Holy Week.

11 Cf. Mark 16:15.

of God by His death and resurrection had freed us from the power of Satan15*and from death, and brought us into the kingdom of His Father, but also that they might actually perform the work of salvation which they were announcing, through Sacrifice and Sacraments, which constitute the entire liturgical life. Thus by Baptism men are implanted in the paschal mystery of Christ: they die with Him, are buried with Him and rise with Him;10 they receive the spirit of adoption of sons, "whereby we cry: Abba, Father" (Rom. 8:15), and thus become the true adorers whom the Father is seeking.17 In like manner, as often as they eat the Supper of the Lord they show the death of the Lord until He come.18*Hence on the very day of Pentecost, when the Church appeared before the world, "those who received the word" of Peter "were baptized." And they were "persevering in the doctrine of the Apostles and in the communication of the breaking of bread and in prayers . . . praising God and having favor with all the people" (Acts 2:41, 47). From that time the Church has never failed to come together to celebrate the paschal mystery, reading "in all the Scriptures the things that were concerning Him" (Luke 24:27), celebrating the Eucharist in which "the victory and triumph of His death are again made present,"19 and at the same time giving thanks "to God for His ineffable gift" (2 Cor. 9:15) in Christ Jesus, "unto the praise of His glory" (Eph. 1:12), by the power of the Holy Spirit.

7. For accomplishing so great a work Christ is always present in His Church, especially in liturgical actions. He is present in the Sacrifice of the Mass, both in the person of the minister, "the same now offering through the ministry of priests who then offered Himself on the cross,"20 and especially under the eucharistie species. He is present by His power in the Sacraments, so that when some one baptizes, it is Christ Himself who baptizes.21

15 Cf. Acts 26:18.

10 Cf. Rom. 6:4; Eph. 2:6; Coloss. 3:1 ; 2 Tim. 2:11.

17 Cf. 1 Cor. 4:23. 18 Cf. 1 Cor. 11:26.

19 Council of Trent, Session XIII, Decree on the Holy Eucharist, c. 5.

20 Council of Trent, Session XXII, Doctrine on the Holy Sacrifice of the Mass, c. 2.

21 Cf. St. Augustine, *ht loannis Evangelium Tractatus VI,* cap. 1, n. 7; PL 35. 1428.

He is present in His word, for it is He Himself who speaks when the Scriptures are read in the Church. Lastly, He is present when the Church prays and sings, as He promised: "Where there are two or three gathered together in my name, there am I in the midst of them" (Matt. 18:20).

Truly in this great work by which God is perfectly glorified and men are sanctified, Christ ever associates Himself with the Church His beloved spouse who is calling upon her Lord and through Him offering worship to the Eternal Father.

Rightly, then, is the Liturgy held to be an exercise of the priestly ministry of Jesus Christ; in the Liturgy the sanctification of man is expressed by sensible signs and is also effected in a manner proper to each of these signs, and a complete public worship is performed by the Mystical Body of Christ, that is, the Head together with His members.

Consequently every liturgical celebration, as the work of Christ the Priest and His Body which is the Church, is an action in the highest degree sacred: no other action of the Church can equal its efficacy by the same title and to the same degree.

8. In the earthly Liturgy we have a foretaste of that heavenly Liturgy which is celebrated in the holy city of Jerusalem, the goal of our earthly pilgrimage, where Christ is sitting at the right hand of God, a minister of the holies and of the true tabernacle;[22] with all the hosts of heaven we sing a hymn of glory to the Lord; while venerating the memory of the Saints we have the hope of some part and fellowship with them; we await the Savior our Lord Jesus Christ, until He shall appear who is our life; and we will appear with Him in glory.[23]

9. The sacred Liturgy does not exhaust all the activity of the Church; because before men can arrive at the Liturgy they must be called to the faith and to conversion: "How shall they call on him in whom they have not believed? Or how shall they believe him of whom they have not heard? And how shall they hear without a preacher? And how shall they preach unless they be sent?" (Rom. 10:14-15).

Hence the Church announces the good tidings of salvation to those who do not believe, so that all men may know the only true God and Jesus Christ whom He has sent, and may be con-

22 Cf. Apoc. 21:2; Coloss. 3:1; Hcbr. 8:2.
23 Cf. Phillipp. 3:20; Coloss. 3:4.

verted from their ways, doing penance.[24] To believers also the Church must constantly preach faith and penance; she must moreover prepare them for the Sacraments, teach them to observe all that Christ has commanded,[25][26] and draw them to all the works of charity, piety and the apostolate, by which it is made manifest that Christ's faithful, while not of this world, are nevertheless the light of the world, and that they glorify the Father before men.

10. Nevertheless the Liturgy is the summit toward which the activity of the Church is directed, and also the source from which flows all her power. For the aim and object of apostolic works is that all who are made sons of God by faith and Baptism may come together to praise God in the midst of the Church, to take part in the Sacrifice and eat the Lord's Supper.

On the other hand, the Liturgy moves the faithful, by receiving "the paschal sacraments," to become "one in devotion";[20] it prays that they may "hold fast in their lives to what they have perceived through faith."[27] The renewal of the covenant between God and men in the Eucharist draws the faithful to Christ and enkindles in their hearts a compelling love for Him. From the Liturgy, therefore, and especially from the Eucharist, as from a fountain, grace flows to us, and the sanctification of men and glorification of God in Christ, to which all the other works of the Church are directed, are attained most effectively.

11. But in order to attain this full effectiveness it is necessary that the faithful come to the sacred Liturgy with the dispositions of an upright heart, that they make their minds agree with their words, and cooperate with the grace from above lest they receive it in vain.[28] Consequently pastors of souls must see to it, not only that in the liturgical action the rules for its valid and licit celebration be observed, but also that the faithful take part in it attentively, actively, and with profit.

12. The spiritual life, however, does not consist solely in participation in the Liturgy. The Christian, called as he is to prayer in common, must nevertheless also enter into his chamber

21 Cf. John 17:3; Luke 24:27; Acts 2:38.
25 Cf. Matt. 28:20.
26 Postcommunion for the Paschal Vigil and Easter Sunday.
27 Collect for the Mass for Tuesday of Easter Week.
28 Cf. 2 Cor. 6:1.

and pray to his Father in secret,[29] and even, as the Apostle teaches, pray without ceasing.[30] And we learn from the same Apostle always to bear about in our body the mortification of Jesus, that the life also of Jesus may be made manifest in our bodies.[31] Hence in the Sacrifice of the Mass we pray to the Lord that "having received the offering of the spiritual victim," He may make of us "an eternal gift" to Him.[32]

13. The pious exercises of the Christian people, provided they are done according to the laws and regulations of the Church, are highly commended, especially when they are ordered by the Apostolic See.

The exercises of particular Churches also, which are celebrated by order of the Bishops according to lawfully approved customs and books, have a special dignity.

But these exercises must be arranged with due attention to the liturgical seasons, in such a way as to conform to the Sacred Liturgy and be in a way derived from it, so as to draw the people to it, since the Liturgy itself by its very nature far outranks them.

II. The Promotion of Liturgical Instruction and Active Participation

14. Mother Church earnestly desires that all the faithful be brought to that full, conscious, and active participation in liturgical celebrations, which is demanded by the very nature of the Liturgy and to which the Christian people, "a chosen generation, a kingly priesthood, a holy nation, a purchased people" (1 Pet. 2:9; cf. 2:4-5) are entitled as of right and in duty bound in virtue of their Baptism.

This full and active participation of the whole Christian people must receive the most careful attention in restoring and promoting the sacred Liturgy: it is the primary and necessary source from which the faithful must imbibe a truly Christian spirit, and

29 Cf. Matt. 6:6.
30 Ci. 1 Thcss. 5:17.
« Cf. 2. Cor. 4:10-11.
32 Secret for the Monday within the octave of Pentecost.

hence pastors of souls in all their pastoral activity must strive for it zealously through proper instruction.

There is no hope of achieving this result unless the pastors themselves are deeply imbued with the spirit and power of the Liturgy and make themselves masters of it; hence it is necessary that attention be directed above all to the liturgical formation of the clergy. For this reason the Sacred Council has decided to establish the following regulations.

15. Professors who teach the sacred Liturgy in seminaries, religious houses of study and theological faculties must be well trained for their work in institutes which make a specialty of this subject.

16. The sacred Liturgy in seminaries and religious houses of study is to be regarded as one of the necessary and important courses, and in theological faculties as among the principal ones: it is to be taught in its theological and historical aspect, and also from the spiritual, pastoral, and juridical standpoints. Moreover the teachers of other subjects, especially of dogmatic theology, sacred Scripture, and spiritual and pastoral theology, should take care to bring out, in connection with the intrinsic exigencies of each subject, the mystery of Christ and the history of salvation in such a way that their relation to the liturgy and the unity of priestly training be made perfectly clear.

17. Clerical students in seminaries and religious houses of study should be given a liturgical formation in their spiritual life, not only through appropriate guidance which will enable them to understand sacred rites and to take part in them wholeheartedly, but also by actually celebrating the sacred mysteries and by other exercises of piety which breathe the spirit of the sacred Liturgy. They should likewise learn to observe liturgical regulations so that life in seminaries and religious institutes be deeply influenced by the liturgical spirit.

18. Priests, both secular and religious, who are already at work in the Lord's vineyard are to be helped in every appropriate way to understand ever more fully what it is that they are doing when they perform sacred rites, and to live the IPurgical life and communicate it to the faithful under their care.

19. Pastors of souls must apply themselves with zeal and patience to the liturgical instruction of the faithful and to their active participation in the Liturgy both interiorly and exteriorly,

according to their age and condition, their way of life and degree of religious culture; they will thus fulfill one of the principal duties of a faithful dispenser of the divine mysteries; and they should lead their flock not by word alone but also by example.

20. Transmissions of sacred actions, especially of the Mass, by radio and television must be done with discretion and decorum, under the control and upon the responsibility of a proper person designated for this purpose by the Bishops.

III. The Restoration of the Sacred Liturgy

21. In order that the Christian people may more surely receive abundant graces in the sacred Liturgy, Holy Mother Church desires to promote earnestly a general reform of the Liturgy itself. For the Liturgy consists of a part that is unchangeable as having been established by God, and of parts that are subject to change, and these may and even should be changed in the course of time if they have suffered the intrusion of elements which do not well accord with the intimate nature of the Liturgy, or which have become unsuited to it.

In making this restoration, the texts and rites should be arranged so as to express more clearly what they signify, and so that the Christian people may as far as possible easily understand them and take part in them fully, actively and as a ■community.

Accordingly the Sacred Council has established the following general norms.

A) *General Norms*

22. § 1. The regulation of the sacred Liturgy depends solely on the authority of the Church, that is, on the Apostolic See and, subject to the provisions of law, on the Bishop.

§ 2. According to powers conferred by law the regulation of liturgical matters belongs, within certain limits, also to the competent groups of Bishops lawfully established for various kinds of territorial districts.

§ 3. Therefore absolutely no one else, even though he be a priest, can on his own authority add anything to the Liturgy, remove anything from it, or change it in any way.

23. In order that sound tradition may be retained and at the

same time that the way remain open to legitimate progress, a careful investigation, theological, historical, and pastoral, must be made before any part of the Liturgy is revised. Moreover the general rules regarding the structure and meaning of the Liturgy must be taken into account, as well as the experience drawn from recent liturgical reforms and various induits that have been granted. Finally, let no innovations be made unless the good of the Church truly and certainly requires them; and care should be taken that any new forms which are adopted may be in some sense an organic growth from forms already in use.

As far as possible, notable differences in the rites of neighboring territories should be avoided.

24. In the celebration of the Liturgy, sacred Scripture is of the highest importance. For it is from Scripture that the lessons are read and explained in the homily, and that the psalms are sung; the prayers, orations, and liturgical hymns pour forth from its breath and spirit, and the actions and signs derive their meaning from it. Hence to obtain the restoration, progress, and adaptation of the sacred Liturgy, there is need to promote that warm and living love for Scripture to which the venerable tradition of both eastern and western rites bears witness.

25. The liturgical books are to be revised as soon as possible with the help of experts and after consultation with Bishops from various parts of the world.

B) *Norms Based on the Character of the Liturgy as a Hierarchical Action Proper to the Community*

26. Liturgical actions are not private functions but celebrations of the Church, which is the "sacrament of unity," namely, the holy people united and marshalled under the Bishops.[33]

Therefore liturgical services pertain to the universal Body of the Church and they manifest it and have effects upon it; they affect the individual members of the Church in different ways, according to their differences in rank, function, and actual participation.

27. Let it be understood that whenever rites, each according to their specific nature, admit of celebration in common with

33 St. Cyprian, *On the Unity oj the Catholic Church,* 7; cf. Letter 66, n. 8, 3.

active participation by the faithful in considerable numbers, this is to be preferred, so far as possible, to a celebration that is individual and quasi-private.

This is especially true of the celebration of Mass and the administration of the Sacrament, although every Mass is always by its very nature a public and social celebration.

28. In liturgical celebrations each person, minister or simple faithful, who has a function to perform, should do everything that pertains to him by the nature of the case and according to liturgical laws, and nothing else.

29. The servers, readers, commentators, and members of the choir also exercise a true liturgical function. They ought, therefore, to discharge their office with the sincere piety and decorum demanded by so exalted a ministry and rightly expected of them by the people of God.

Consequently they should, each in his own way, be deeply imbued with the spirit of the Liturgy and trained to perform their parts correctly and in proper order.

30. In order to promote active participation, acclamations, responses, psalmody, antiphons and hymns, as well as actions or gestures and bodily attitudes on the part of the people should be encouraged. A sacred silence should be observed at the proper times.

31. In the revision of liturgical books, care should be taken that the rubrics provide also for the people's parts.

32. In the Liturgy no special distinction should be shown to private persons or conditions, either in the ceremonies or in processions outside, excepting the distinction resulting from a liturgical office or a sacred Order and the honors which are due to civil authorities according to liturgical laws.

C) *Norms Based on the Didactic and Pastoral Nature of the Liturgy*

33. Although the sacred Liturgy is principally worship of the divine majesty, it also contains much instruction for the faithful.[31] God speaks to His people; Christ is still proclaiming His Gospel. And the people reply to God in song and prayer.

Moreover the prayers addressed to God by the priest who

[31] Ci. Council of Trent, Session XXII, Doctrine on the Holy Sacrifice of the Mass, c. S.

presides over the assembly in the person of Christ, are said in the name of the entire holy people and all present. Finally, the visible signs which the sacred Liturgy uses to signify invisible divine realities have been chosen by Christ or by the Church. Consequently, not only when things are read "which were written for our instruction" (Rom. 15:4), but also when the Church prays or sings or acts, the faith of those taking part is nourished and their minds are raised to God to offer Him their rational service and more abundantly to receive His grace.

In the revision of the Liturgy, then, the following general norms are to be observed.

34. The rites should be marked by a noble simplicity; they should be short and clear without useless repetitions; they should be suited to the understanding of the faithful, and generally should not require much explanation.

35. So that it may clearly appear that in the Liturgy the rite and the words are intimately connected:

1) In sacred celebrations there should be more reading from the Scriptures, and it should be more varied and more appropriate.

2) The best place for the sermon should be indicated in the rubrics, since, when the rite provides for it, the sermon belongs to the liturgical action. The office of preaching must be performed properly and with the greatest fidelity. The sermon should be drawn chiefly from sacred Scripture and the Liturgy, appearing as an announcement of the wonderful works of God in the history of salvation and the mystery of Christ, ever present and active in us, especially in liturgical celebrations.

3) Catechetical teaching also should be made in every way more directly liturgical; and in the rites themselves provision should be made if necessary for short directions, by way of precept or in some such way, to be given by a priest or other competent minister, but onlv at appropriate moments.

4) Bible services should be encouraged on the vigils of the more solemn feasts, on some of the weekdays of Advent and Lent, and on Sundays and feast days, especially in places which have no priest: in this case a deacon or some other person appointed by the Bishop shall direct the services.

36. § 1. Unless there is a particular law to the contrary, the use of Latin in functions of the Latin rites shall be continued.

§ 2. However, since the vernacular is often very advantageous

for the people in the Mass, in the administration of the Sacraments, and in other parts of the Liturgy, it may be given a larger place, especially in the readings and instructions and in some of the prayers and hymns, according to the norms which are given in detail on this subject in subsequent chapters.

§ 3. Supposing that these norms are observed, it belongs to the competent ecclesiastical territorial authority, as provided in art. 22 § 2, after consultation if desired with the Bishops of neighboring regions which use the same language, to decide, by decrees which are to be approved by the Apostolic See, whether the vernacular may be used, and in what manner.

§ 4. Translations of the Latin text into the vernacular, to be used in the Liturgy, must be approved by the competent ecclesiastical territorial authority mentioned above.

D) *Norms for Adapting the Liturgy to the Character and Traditions of the Peoples*

37. In matters which do not affect the faith or the well-being of an entire community, the Church does not wish, even in the Liturgy, to impose a rigid uniformity; on the contrary, she respects and fosters the genius and talents of various races and peoples. Whatever in their way of life is not indissolubly bound up with superstition and error, she looks upon with benevolence and if possible keeps it intact, and sometimes even admits it into the Lit agy provided it accords with the genuine and authentic liturgical spirit.

38. Keeping the substantial unity of the Roman rite, provision should be made, even in the revision of the liturgical books, for legitimate diversities and adaptations in the interest of various groups, regions, and peoples, especially in the Missions. This should be kept in mind in deciding on the structure of the rites and in composing the rubrics.

39. Within the limits prescribed in typical editions of liturgical books, it pertains to the competent ecclesiastical territorial authority mentioned in art. 22 § 2, to define the adaptations that are to be made, particularly in the administration of the Sacraments, and in Sacramentals, processions, liturgical language, sacred music, and sacred arts, always however in accordance with the fundamental norms of this Constitution.

40. However, since in various places and circumstances a rather thorough adaptation of the Liturgy is urgent, and hence somewhat difficult:

1) Let the competent ecclesiastical territorial authority mentioned in art. 22 § 2 earnestly and prudently consider in this matter which elements from the traditions and culture of the individual peoples can be appropriately admitted in divine worship. The adaptations which are considered useful or necessary are to be proposed to the Apostolic See and may be introduced with its consent.

2) In order that adaptation may proceed with the necessary circumspection, the Apostolic See will grant to the aforesaid ecclesiastical territorial authority the faculty, in proper cases, to permit and direct, in certain groups which are ready for it, necessary preliminary experiments for a definite period of time.

3) Because liturgical laws often present special difficulties as regards adaptation in Mission countries, men who are expert in these matters should be available to formulate them.

IV. Promotion of Liturgical Life in Diocese and Parish

41. The Bishop is to be considered the high priest of his flock, from whom the life of his people in Christ is, as it were, derived and on whom it depends.

Therefore all should hold in great esteem the liturgical life of the diocese centered around the Bishop, especially in his cathedral church; they should be convinced that the principal manifestation of the Church consists in the full and active participation of all the people of God in these liturgical celebrations, especially in one and the same Eucharist, one prayer, at one altar where the Bishop presides surrounded by his priests and ministers.[35]

42. Since the Bishop cannot always nor everywhere preside in person over his whole flock in his church, he must of necessity constitute groups of the faithful, among which parishes, organized territorially under a pastor who represents the Bishop, are the most important: for they in a way represent the visible Church established throughout the world.

35 Cf. St. Ignatius of Antioch, *To the Smyrnians,* 8; *To the Magnesians,* 7; *To the Philadelphians,* 4.

Therefore the liturgical life of the parish and its relation to the Bishop should be fostered in the thinking and practice of the faithful and the clergy; and efforts should be made to develop a sense of community in the parish, especially in the common celebration of the Sunday Mass.

V. On Promoting Pastoral-Liturgical Action

43. The urge for the promotion and restoration of the sacred Liturgy is rightly regarded as a sign of the providential dispositions of God for our time, as a sort of passage of the Holy Spirit in His Church; it sets its own distinguishing seal on the life of the Church and on the whole tenor of religious thought and action in this our time.

Hence, in order to encourage still further this pastoral-liturgical action in the Church, the Sacred Council decrees:

44. It is recommended that the competent ecclesiastical territorial authority mentioned in art. 22 § 2 establish a liturgical Commission, which shall have the assistance of men who are experts in liturgical science, in music, in sacred art, and in pastoral practice. This Commission should if possible have the support of some Institute of Pastoral Liturgy, whose members, including laymen according to circumstances, are of outstanding competence in this field. The Commission, under the direction of the ecclesiastical territorial authority already mentioned, shall regulate pastoral-liturgical action in its territory, and promote studies and necessary experiments when there is question of proposing adaptations for the approval of the Apostolic See.

45. In the same way a Commission on sacred Liturgy should be established in every diocese, to promote liturgical activity under the direction of the Bishop.

It may sometimes be advisable for several dioceses to have one and the same Commission acting to promote the Liturgy through common consultation.

46. Besides the Commission on the sacred Liturgy, every diocese should if possible have also Commissions on sacred Music and sacred Art.

These three Commissions must work in close collaboration; in fact it will sometimes be advisable to fuse them into one single Commission.

CHAPTER II

THE MOST SACRED MYSTERY OF THE EUCHARIST

47. Our Savior at the Last Supper, on the night in which He was betrayed, instituted the Eucharistic Sacrifice of His Body and Blood, to perpetuate the Sacrifice of the Cross down through the centuries till He should come, and so to entrust to His beloved Spouse the Church a memorial of His Death and Resurrection: a sacrament of love, a sign of unity, a bond of charity,[36] a paschal banquet in which Christ is received, the soul is filled with grace, and a pledge of future glory is given to us.[37]

48. Accordingly the Church strives with all earnestness that the faithful may not assist at this mystery of faith as strangers or mute spectators but that, having a good understanding of it through the rites and prayers, they may take part in the sacred action consciously, piously, and actively, receive instruction through the word of God, be nourished at the table of the Body of the Lord, give thanks to God, not only offering the immaculate host through the hands of the priest, but offering it together with him, that they may learn to offer themselves, and with Christ as their Mediator,[38] that they may be drawn day by day into ever more perfect union with God and with each other, so that finally God may be all in all.

49. For this reason the Sacred Council, having in mind those Masses which are celebrated with the assistance of the faithful, especially on Sundays and feasts of obligation, has made the following decrees, in order that the Sacrifice of the Mass, even in the ritual forms of its celebration, may become pastorally efficacious to the fullest degree.

50. The rite of the Mass is to be revised in such a way that the intrinsic nature and purpose of its several parts, as also the connection between them, may be more clearly manifested, and that devout and active participation by the faithful may be more easily obtained.

30 Cf. St. Augustine, *Tractatus in loannem,* VI, n. 13.

37 Roman Breviary, feast of Corpus Christi, Second Vespers, antiphon to the Magnificat.

38 Cf. St. Cyril of Alexandria, *Commentary on the Gospel of John,* book XI, chap. XI-XII; Mignc, PG,*74, 557-564.

For this reason the rites are to be simplified, due care being taken to preserve their substance. Elements which in the course of time came to be duplicated, or were added with but little advantage, are now to be discarded; other elements which, on the contrary, were dropped, if they seem proper or necessary, shall be reinstated as they were in the times of the holy Fathers.

51. In order that a richer fare may be offered to the faithful at the table of the word of God, the treasures of the Bible should be opened more freely, so that in the course of a certain number of years the greater part of the Scriptures will have been read to the people.

52. The homily, through which in the course of the liturgical year the mysteries of the faith and the guiding principles of Christian life are explained from the sacred text, is to be highly esteemed as belonging to the Liturgy itself; in fact, in Masses which are celebrated with the attendance of the people on Sundays and feasts of obligation, it should not be omitted without a serious reason.

53. The "common prayer" or "prayer of the faithful," after the Gospel and homily, should be restored, especially on Sundays and feasts of obligation. By this prayer, in which the people are to take part, supplications are offered for the whole Church, for the civil authorities, for those in need, for all mankind and for the salvation of the whole world.[39]

54. The vernacular may be allowed a suitable part in Masses which are celebrated with the people, especially in the readings and the "common prayer." and also, as local conditions may warrant, in those parts which pertain to the people according to art. 36 of this Constitution.

Care should be taken, however, that the faithful may be able to recite or sing together also in Latin the parts of the Ordinary of the Mass which pertain to them.

Wherever a more extended use of the vernacular in the Mass appears desirable, the prescription of art. 40 of this Constitution is to be observed.

55. That more perfect form of participation in the Mass whereby, after the priest's Communion, the faithful receive the Body of the Lord from the same Sacrifice, is strongly recommended.

Ci. 1 Tim. 2 1-2.

Without prejudice to the dogmatic principles laid down by the Council of Trent/0 Communion under both species may be granted to clerics and religious and also to the laity, when the Bishops think fit, in the cases which will be defined by the Apostolic See; as for example, to the newly ordained in the Mass of their sacred ordination, to the newly professed in the Mass of their religious profession, and to the newly baptized in the Mass which follows their Baptism.

56. The two parts which in a certain sense go to make up the Mass, that is, the Liturgy of the word and that of the Eucharist, are so closely connected that they constitute one act of worship. Accordingly this sacred Synod strongly urges pastors of souls that, when instructing the faithful, they insistently leach them to take part in the entire Mass, especially on Sundays and feasts of obligation.

57. § 1. Concélébration, by which the unity of the priesthood is appropriately manifested, has remained in use to this day in the Church, both in the East and in the West. For this reason it has seemed good to the Council to extend permission for concélébration to the following cases:

1° a) on the Thursday of the Lord's Supper, not only at the Mass of the Chrism but also at the evening Mass:

b) at Masses during Councils, Bishops' Conferences, and Synods;

c) at the Mass for the Blessing of an Abbot.

2° Also, with the permission of the Ordinary, to whom it belongs to decide whether concélébration is opportune:

a) at conventual Mass and at the principal Mass in churches when the needs of the faithful do not require that all the priests available should celebrate individually;

b) at Masses celebrated at priests' meetings of any kind, whether the priests be secular or religious.

§2. 1° It belongs to the Bishop to regulate the discipline of concélébration in the diocese.

2° Nevertheless each priest shall always retain his right to celebrate Mass individually, though not at the same time in

40 Session XXI, 16 July 1562. Doctrine on Communion under both Species, chap. 1-3: *Concilium Tridcntinum, Diariorum, Actorum, Epistolarum Tractatuum nova collectio,* ed. Goerresiana, t. VIII, (Freiburg im Br., 1919), 698-699.

the same church as a concelebrated Mass, nor on the Thursday of the Lord's Supper.

58. A new rite for concélébration is to be drawn up and inserted in the Roman Pontifical and in the Roman Missal.

CHAPTER III

THE OTHER SACRAMENTS AND THE SACRAMENTALS

59. The purpose of the Sacraments is to sanctify men, to build up the Body of Christ and to give worship to God; because they are signs, they also instruct. They not only presuppose faith, but by words and objects they also nourish, strengthen and express it; that is why they are called "sacraments of faith." They do indeed impart grace, but in addition the very act of celebrating them disposes the faithful most effectively to receive this grace in a fruitful manner, to give due worship to God, and to practice charity.

It is therefore of the highest importance that the faithful should easily understand the sacramental signs, and should frequent with great eagerness those Sacraments which were instituted to nourish the Christian life.

60. Holy Mother Church has moreover instituted Sacramentals. These are sacred signs which bear a resemblance to the Sacraments: they signify effects, particularly of a spiritual kind, which are obtained through the Church's intercession. By them men are disposed to receive the chief effect of the Sacraments, and various aspects of life are rendered holy.

61. Thus, for well-disposed members of the faithful, the liturgy of the Sacraments and Sacramentals sanctifies almost every event of their lives; they are given access to the stream of divine grace that flows from the paschal mystery of the Passion, Death, and Resurrection of Christ, the source from which all the Sacraments and Sacramentals draw their power. There is hardly any proper use of material things which cannot thus be directed toward the sanctification of men and the praise of God.

62. In the course of time, however, there have crept into the

rites of the Sacraments and Sacramentals certain features which have rendered their nature and purpose far from clear to the people of today; hence some changes have become necessary, to adapt them to the needs of our own times. For this reason the Sacred Council decrees as follows concerning their revision.

63. Since the use of the vernacular in the administration of the Sacraments and Sacramentals can often be very helpful to the people, this use should be given a wider field, according to the following norms:

a) In the administration of the Sacraments and Sacramentals the vernacular language may be used according to the norm of art. 36;

b) In harmony with the new edition of the Roman Ritual, particular rites shall be prepared without delay by the competent ecclesiastical territorial authority mentioned in art. 22 § 2 of this Constitution. These rituals, which are to be adapted, also as regards the language employed, to the needs of different regions, are to be reviewed by the Apostolic See and then introduced in the regions for which they have been prepared. But in composing these Rituals or particular Collections of Rites, the instructions prefixed to the individual rites in the Roman Ritual, which are of a pastoral and rubrical character or of special social importance, are not to be omitted.

64. The catechumenate for adults, comprising several distinct steps, is to be restored and brought into use at the discretion of the local Ordinary; in this way the time of the catechumenate. which is intended as a period for proper instruction, can be sanctified by sacred rites to be celebrated at successive intervals of time.

65. In Mission lands it is found that some of the peoples alreadv make use of initiation rites. Elements from these, in as far as they are capable of being adapted to Christian ritual, may be admitted along with those already found in Christian tradition, according to the norm laid down in art. 37-40 of this Constitution.

66. Both rites for the baptism of adults, that is, the simple one and the more solemn one which takes into account the restored catechumenate, are to be revised: and a special Mass *"in collatione Baptismi"* is to be inserted in the Roman Missal.

67. The rite for the Baptism of infants is to be revised and

adapted to the circumstance that those to be baptized are in fact infants; also the roles of parents and godparents, and their duties, should be brought out more clearly in the rite itself.

68. The baptismal rite should contain variants, to be used at the discretion of the local Ordinary, for occasions when a large number of persons are to be baptized together. Moreover a shorter rite is to be drawn up especially for Mission lands, to be used by catechists and also by the faithful in general when there is danger of death and neither priest nor deacon is available.

69. In place of the rite called the "Order of supplying what was omitted in the Baptism of an infant," a new rite is to be drawn up which will manifest more clearly and fittingly that the infant who was baptized with the short rite has already been received into the Church.

Likewise a new rite should be drawn up for persons already baptized who are converted to Catholic practice; it should indicate that they are now admitted to communion with the Church.

70. Except during Eastertide, baptismal water may be blessed with an approved shorter formula within the rite of Baptism itself.

71. The rite of Confirmation is to be revised so that the intimate connection of this Sacrament with the whole Christian initiation may stand out more clearly; for this reason it is fitting that the renewal of the baptismal promises should precede the reception of Confirmation.

Confirmation may be given in the Mass when convenient; when it is given outside of Mass, a formula to be prepared should be used as an introduction to the rite.

72. The rite and formulas of the Sacrament of Penance are to be revised so as to express more clearly the nature and effect of this Sacrament.

73. "Extreme Unction," which can also and more properly be called "the Anointing of the Sick," is not a Sacrament intended only for those who are in extreme danger of death. Hence the proper time for its reception is already certainly present when one of the faithful begins to be in danger of death because of infirmity or old age.

74. Besides the separate rites for the Anointing of the Sick and Viaticum, a continuous rite is to be prepared according to

which the Anointing is given to the sick person after confession and before receiving Viaticum.

75. The number of the anointings is to be adapted to the circumstances, and the prayers which belong to the rite of Anointing are to be revised so as to correspond to the various conditions of those who receive the Sacrament.

76. The rites of Ordination are to be revised as to both the ceremonies and the texts. The addresses made by the Bishop at the beginning of any Ordination or Consecration may be in the vernacular.

In an Episcopal Consecration the laying on of hands may be done by all the Bishops present.

77. The rite for the celebration of Matrimony as now found in the Roman Ritual is to be revised and enriched so as to signify more clearly the grace of the Sacrament and to inculcate the duties of married life. "If any regions are accustomed to follow other praiseworthy customs and ceremonies in celebrating the Sacrament of Matrimony, this Sacred Synod earnestly desires that they be retained intact."[41]

Moreover the competent ecclesiastical territorial authority mentioned in art. 22 § 2 of this Constitution remains free to draw up its own rite suited to the usages of place and people, according to art. 63, without prejudice, however, to the law that the assisting priest must ask and receive the consent of the parties.

78. Matrimony is normally to be celebrated within the Mass, after the reading of the Gospel and the homily, and before the "prayer of the faithful." The prayer for the bride, duly amended so as to remind both spouses of their equal obligation to remain faithful to each other, may be said in the vernacular.

If the Sacrament of Matrimony is celebrated without a Mass, the Epistle and Gospel of the Mass *pro sponsis* are to be read at the beginning of the rite, and the nuptial blessing is always to be given.

79. The Sacramentals must be revised, taking into account the primary principle of helping the faithful to participate intelligently, actively, and easily, and with due consideration of the needs of our times. When the Rituals are revised as provided in

41 Council of Trent, Session XXIV, 11 Nov. 1563. On Reform, Chap. 1. Cf. Roman Ritual, title VIII, chap. II, n. 6.

art. 63, the new Sacramentals also may be added as necessity may require.

Let the reserved blessings be very few, and in favor only of Bishops or Ordinaries.

Provision should be made that, at least in special circumstances and at the discretion of the Ordinary, some Sacramentals be administered by duly qualified lay persons.

80. The rite for the Consecration of Virgins, which is in the Roman Pontifical is to be revised.

Moreover a rite for religious profession and renovation of vows shall be drawn up, which should conduce to a greater unity, sobriety, and dignity, and which shall be used, in the absence of particular law to the contrary, by those who make their profession or renovation at Mass.

Religious profession will preferably be made within the Mass.

81. The rite for the burial of the dead should express more clearly the paschal character of Christian death, and should be made to correspond more closely, even as regards the color of the vestments, to the conditions and traditions of various regions.

82. The rite for the burial of infants should be revised, and a proper Mass should be provided for it.

CHAPTER IV

THE DIVINE OFFICE

83. Christ Jesus, High Priest of the New and eternal Testament, taking a human nature, brought into this earthly exile that hymn which is sung throughout all ages in the halls of heaven. He consolidates with Himself the entire community of mankind and associates it with Himself in the singing of this divine canticle of praise.

He continues His priestly work through the agency of His Church, which is ceaselessly engaged in praising the Lord and interceding for the salvation qf the whole world, not only by celebrating the Eucharist but also in other ways, especially by praying the divine Office.

84. The divine Office according to ancient tradition is so devised that the whole course of the day and night is made holy

by the praise of God. When this wonderful canticle of praise is properly rendered by priests and other persons deputed for it by authority of the Church, or by the faithful praying together with the priest in the approved form, then it is truly the voice of the Spouse addressed to the Bridegroom; it is a prayer which Christ, in union with His Body, addresses to His Father.

85. Consequently all who do this are not only fulfilling a duty of the Church but are also sharing in the greatest honor of the Spouse of Christ, because in offering these praises to God, they are standing before His throne in the name of their Mother the Church.

86. Priests who are engaged in the sacred pastoral ministry will offer the praises of the canonical Hours with greater fervor the more vividly they realize that they must heed the exhortation of Saint Paul: ‘‘Pray without ceasing” (1 Thess. 5:17). For the work in which they are engaged can receive its efficacy and growth only from the Lord, who said: “Without me you can do nothing” (John 15:5). Hence the Apostles, when they instituted deacons, declared: “We will devote ourselves to prayer and to the ministry of the word” (Acts 6:4).

87. In order that the divine Office may be better and more perfectly performed in existing circumstances by priests and other members of the Church, the Sacred Council, carrying forward the restoration happily begun by the Apostolic See. has seen fit to decree as follows concerning the Office of the Roman rite.

88. Since the purpose of the Office is to sanctify the day. the traditional sequence of the Hours is to be restored, so that as far as possible they may once more truly correspond to the time of day assigned to them, taking into account also the conditions of today, in which those especially who are engaged in apostolic work have to live.

89. Therefore, in the restoration of the Office these norms are to be observed:

a) Lauds as morning prayer and Vespers as evening prayer, the two cardinal points of the daily Office according to the venerable tradition of the universal Church, are the principal Hours and are to be celebrated as such.

b) Compline is to be so composed as to be a suitable prayer for the end of the day.

c) The Hour known as Matins, although when celebrated in choir it retains the character of nocturnal praise, should be so adapted that it can be recited at any hour of the day, and it should consist of fewer psalms and longer lessons;

d) The Hour of Prime is to be suppressed.

e) The little Hours, Terce, Sext, and None are to be retained in choir. Outside of choir it is allowed to choose that one of the three which better corresponds to the time of the day.

90. Moreover, since the divine Office, as the public prayer of the Church, is a source of devotion and nourishment for personal prayer, priests and all others who take part in the divine Office are earnestly exhorted in the Lord to conform their minds to their words when they recite it. In order to do this with better success, they should take steps to improve their understanding of the liturgy and of the Bible, especially of the psalms.

In making the revision, the treasures of the Roman Office, venerable throughout the centuries, should be so adapted that all those to whom they are handed on may more largely and easily draw profit from them.

91. So that the sequence of the Hours as proposed in art. 89 may be actually observed, the psalms are to be distributed, not as before through a single week, but through a longer period of time.

The work of revising the Psalter, already happily begun, is to be finished as soon as possible, taking into account the style of Christian latinity, liturgical practice, also as regards the chant, and the whole tradition of the Latin Church.

92. With regard to the lessons, the following are to be observed:

a) The readings from sacred Scripture are to be so arranged that the treasury of the word of God may be more fully and easily accessible.

b) A better selection shall be made of readings taken from the works of the Fathers, Doctors, and ecclesiastical writers.

c) Narratives of the sufferings and lives of the Saints shall be made to accord with historical truth.

93. The hymns, so far as may seem desirable, shall be restored to their original form, and whatever smacks of mythology or fails to accord well with Christian devotion, shall be removed or

changed. Also, as occasion offers, other selections from the treasury of hymns should be included.

94. It is desirable, both in order to sanctify the day and to render the recitation of the Hours more spiritually fruitful, that an order of time be observed which closely approaches the proper time for each of the canonical Hours.

95. Communities which are bound to choir duty, in addition to the conventual Mass, are obliged to celebrate the divine Office in choir every day. In particular:

a) Orders of Canons, of Monks and of Nuns, and of other Regulars, who are bound to choir duty by law or by their constitutions, must celebrate the entire Office;

b) Cathedral or collegiate Chapters are obliged to celebrate those parts of the Office which are made obligatory for them by general or particular law;

c) All members of the above Communities who are either in major Orders or solemnly professed, excepting those known as *conversi,* are bound to recite individually those canonical Hours which they did not perform in choir.

96. Clerics who are not bound to choir duty, if they are in major Orders, are bound to recite the entire Office either in choir or individually every day, according to art. 89.

97. Appropriate instances are to be defined by the rubrics in which a liturgical service may be substituted for the divine Office.

In particular cases and for a just reason Ordinaries can dispense their subjects wholly or in part from the obligation of reciting the divine Office, or can commute the obligation.

98. The members of any Institute which belongs to the states of perfection, who according to their constitutions perform any part of the divine Office, are thereby performing the public prayer of the Church.

They likewise perform the public prayer of the Church if they recite any small Office, provided it be drawn up after the manner of the divine Office and be duly approved.

99. Since the divine Office is the voice of the Church, that is, of the whole Mystical Body publicly praising God, it is recommended that clerics who are not bound to choir, especially priests who live together or assemble together, perform at least some part of the divine Office in common.

All who perform the divine Office either in choir or in common, should do the part assigned to them as perfectly as possible, both as regards interior devotion and external conduct.

It is moreover preferable that the Office in choir or in common be sung, when this is reasonably convenient.

100. Pastors of souls should see to it that the principal Hours, especially Vespers, be celebrated in common in church on Sundays and the more solemn feasts. It is recommended that even the laity recite the divine Office, either with the priests or among themselves, or even individually.

101. § 1. In virtue of the century-old tradition of the Latin rite, clerics in reciting the divine Office should keep to the Latin language: but the Ordinary is given the power to permit the use of a vernacular translation made as provided in art. 36, in individual cases, to those clerics for whom the use of Latin constitutes a grave obstacle to their saying the Office properly.

§ 2. For monastic nuns and for members of Institutes of the states of perfection, both men who are not clerics and women, the competent Superior can give the permission to use the vernacular in celebrating the Office, even in choir, provided the translation is one that has been approved.

§ 3. Any cleric who is bound to the divine Office fulfills his obligation if he recites the divine Office in the vernacular together with a group of the faithful or with the persons mentioned in §2, provided the text of the translation has been approved.

CHAPTER V

THE LITURGICAL YEAR

102. Holy Mother Church is conscious that she must celebrate the saving work of her divine Spouse by devoutly recalling it on certain days in the course of the year. Every week, on the day which she has called the Lord's day, she keeps the memory of the Lord's Resurrection, which she also celebrates once in the year, together with His blessed Passion, in that greatest solemn festival of Easter.

Within the cycle of a year, moreover, she unfolds the whole mystery of Christ, from the Incarnation and Nativity to the

Ascension, the day of Pentecost and the expectation of a blessed hope and of the coming of the Lord.

Recalling thus the mysteries of the Redemption, the Church opens to the faithful the riches of her Lord's powers and merits, so that these are in some way made present for all time, and the faithful come in contact with them and are filled with saving grace.

103. In celebrating this annual cycle of Christ's mysteries, Holy Church honors with special love the Blessed Virgin Mary. Mother of God, who is joined by an inseparable bond to the saving work of her Son. In her the Church admires and exalts the most excellent fruit of the Redemption, and joyfully contemplates as in a flawless image that which she herself desires and hopes wholly to be.

104. The Church has also included in the annual cycle days devoted to the memory of the Martyrs and other Saints. Raised up to perfection by the manifold grace of God and already in possession of eternal salvation, they sing God's perfect praise in heaven and offer their prayers for us. In celebrating their passage from earth to heaven, the Church proclaims the Paschal Mystery in the Saints, who have suffered and been glorified with Christ; she proposes them to the faithful as examples drawing all to the Father through Christ, and through their merits she pleads for God's favors.

105. Finally, in the various seasons of the year according to her traditional discipline, the Church completes the formation of the faithful by means of pious practices for soul and body by instruction, prayer, and works of penance and mercy.

Accordingly the Sacred Council has seen fit to decree as follows.

106. By a tradition handed down from the Apostles, which took its origin from the very day of Christ's Resurrection, the Church celebrates the Paschal Mystery every eighth day, which is rightly called the Lord's day, or Sunday. On this day the faithful should come together in one place so that, by hearing the word of God and taking part in the Eucharist, they may call to mind the Passion, the Resurrection, and the glory of the Lord Jesus, and may thank God who "has begotten them again through the Resurrection of Jesus Christ from the dead, unto a living hope" (1 Pet. 1:3). Hence the Lord's day is the original feast day, and it should be proposed to the piety of

the faithful and taught to them so that it may become in fact a day of joy and of freedom from work. Other celebrations, unless they are really of the greatest importance, should not take precedence of it, for it is the basis and nucleus of the whole liturgical year.

107. The liturgical year is to be revised in such a way that, while the traditional customs and practices corresponding to the sacred seasons are preserved or restored to suit the conditions of today, their specific character will be retained, so that they may duly nourish the devotion of the faithful as they celebrate the mysteries of Christian Redemption, and above all the paschal mystery. If certain adaptations are considered necessary because of local conditions, they are to be made according to the provisions of art. 39 and 40.

108. The minds of the faithful must be directed in the first place toward the feasts of the Lord by which the mysteries of salvation are celebrated in the course of the year. Therefore the *Proprium de Tempore* shall have its proper ranking above the feasts of the Saints, so that the entire cycle of the mysteries of salvation may be suitably recalled.

109. The twofold character of the season of Lent which, chiefly by recalling Baptism to memory or preparing for it and by penance, disposes the faithful, as they listen to the word of God and pray more earnestly, to celebrate the paschal mystery, is to be brought into greater prominence both in the liturgy and through liturgical instruction. Hence:

a) the baptismal elements proper to the Lenten liturgy shall be used more freely; and some of them, as may seem appropriate, shall be restored as they were in older tradition;

b) the same holds for the penitential elements. As regards instruction, it is important to impress on the minds of the faithful not only the social consequences of sin but also the essential character of penance, which consists in the hatred of sin because it is an offense against God. The role of the Church in penitential practices is not to be passed over, and the people are to be urged to pray for sinners.

110. The penance of the Lenten season should be not only interior and individual but also external and social. The practice of penance, according to the possibilities of our time and the condition of the peoples of various regions, is to be fostered and

encouraged by the authorities mentioned in art. 22.

But especially sacred should be the paschal fast, to be celebrated everywhere on Good Friday and, where reasonably possible, to be continued also through Holy Saturday, so that the faithful may come to the joy of the Lord's Resurrection with uplifted and unclouded mind.

111. Lest the feasts of the Saints should prevail over those which commemorate the very mysteries of salvation, many of them shall be left to be celebrated only by each particular Church or Nation or Religious family, and those only shall be extended to the Universal Church which commemorate Saints who are of truly universal importance.

CHAPTER VI
SACRED MUSIC

112. The musical tradition of the universal Church is a treasure of inestimable value, foremost among other modes of artistic expression precisely because, in its character of sacred song united to words, it constitutes a necessary or integral part of the solemn liturgy.

Certainly sacred song has been extolled both in sacred Scripture[42] and by the Fathers and the Roman Pontiffs, who in recent times following the lead of Saint Pius X, have explained more precisely the ministerial function of sacred Music in the service of the Lord.

Therefore the sacredness of sacred Music will be the more perfect the more closely it is associated with liturgical action, whether it serves to express prayer more beautifully, or to foster concord of spirit, or to enhance the solemnity of sacred rites. The Church approves of all forms of true art provided they have the necessary qualities, and admits them in divine worship.

Accordingly, the Sacred Council, following the norms and precepts of ecclesiastical tradition and practice and mindful of the purpose of sacred Music, which is the glory of God and the sanctification of the faithful, decrees as follows.

113. Liturgical worship is given a nobler form when the divine Offices are celebrated solemnly in song with the assistance

42 Cf. Eph. 5:19; Coloss. 3:16.

of sacred ministers and the active participation of the faithful.

As regards the language to be used, the provisions of art. 36 are to be observed: for the Mass, art. 54; for the Sacraments, art. 63; for the divine Office, art. 101.

114. The treasury of sacred Music is to be preserved and fostered with the greatest care. Choirs must be diligently promoted, especially in cathedral churches; Bishops and other pastors of souls must be at pains to ensure that, whenever the sacred action is to be celebrated with song, the whole body of the faithful may be able to contribute the active participation which is rightly theirs, as provided in art. 28 and 30.

115. Great importance is to be attached to the teaching and practice of music in seminaries, in the novitiates and houses of study of religious of both sexes, and in other Catholic institutions and schools. In order to secure this instruction, the masters who are to teach sacred Music must be most thoroughly prepared.

It is recommended that, where it can be done, higher institutes of sacred Music be established.

Composers of music and singers, especially boys, must also be given a genuine liturgical training.

116. The Church recognizes Gregorian chant as especially suited to the Roman liturgy; hence, other things being equal, it should be given the first place in liturgical services.

Other kinds of sacred Music, especially polyphony, are by no means excluded from the celebration of the divine Offices, provided they are in accord with the spirit of the liturgical action as provided in art. 30.

117. The typical edition of the books of Gregorian chant is to be completed, and even a more critical edition is to be made of the books already published since the restoration made by Saint Pius X.

It is desirable also that an edition be prepared containing simpler melodies for use in small churches.

118. Religious singing by the people is to be skillfully" fostered, so that in devotions and sacred exercises, and even in liturgical services, the voices of the faithful may ring out, according to the norms and directions of the rubrics.

119. Since in some countries, especially in the Missions, there are peoples who have a musical tradition of their own which is very important in their religious and social life, this music

should be duly esteemed and given a proper place both in forming their religious sense and in adapting worship to their peculiar genius according to art. 39 and 40.

Consequently, when missionaries are being given training in music, every effort should be made to see that, as far as possible, they shall be competent to promote the traditional music of these peoples, both in schools and in sacred services.

120. In the Latin Church the pipe organ is to be held in high esteem as the traditional musical instrument which contributes a remarkable splendor to the ceremonies of the Church and powerfully elevates the mind to God and to heavenly things.

Other instruments, however, may be admitted in divine worship according to the judgment and consent of the competent territorial authority as provided in art. 22 § 2, 37 and 40, in as far as they are suitable for sacred use or can be adapted to it, are in accord with the dignity of the temple, and really contribute to the edification of the faithful.

121. Composers, instinct with the Christian spirit, should feel that they have a vocation to cultivate sacred Music and to add to its treasures.

Let them produce compositions which have the qualities proper to genuine sacred Music and which can not only be sung by the great choirs but are suitable also for smaller ones and promote the active participation of the whole assembly of the faithful.

The texts intended to be sung must conform to Catholic doctrine; in fact they should be drawn chiefly from sacred Scripture and from liturgical sources.

CHAPTER VII
SACRED ART AND SACRED FURNISHINGS

122. The fine arts are with very good reason considered to rank among the noblest activities of man's genius, and this is true especially of religious art and to its highest achievement, which is sacred art. These arts are by their very nature oriented toward the infinite beauty of God, which they attempt to portray in some way by the work of human hands. They achieve their purpose of redounding to God's praise and glory, in proportion as they are the more exclusively directed to the

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single aim of turning men's minds devoutly toward God.

Holy Mother Church has therefore always been the friend of the fine arts and has constantly sought their noble service, with the special aim that all things set apart for use in divine worship should be truly worthy, becoming, and beautiful, signs and symbols of things supernatural; and for this purpose she has trained artists. In fact the Church has always considered herself a judge of the arts, judging among the works of artists which ones were in accord with faith, piety, and cherished traditional laws, and thereby fit for sacred use.

The Church has been particularly careful to see that sacred furnishings should worthily and beautifully serve the dignity of worship, and has admitted changes in material, style, and ornamentation, which the progress of the technical arts gradually introduced.

Wherefore it has pleased the Fathers to issue the following decrees on these matters.

123. The Church has never considered any particular style of art as distinctively her own, but according to the character and conditions of various nations and the needs of the different Rites, has admitted styles from every period, building up in the course of the centuries a treasury of art which must be preserved at all costs. The art also of our own times and from every race and clime should have free scope in the Church, provided that it adorns the sacred structures and the sacred rites with due reverence and dignity, and that it may thus be able to add its own voice to the chorus of praise which great men of past centuries have sounded to the glory of the Catholic faith.

124. Ordinaries, by the encouragement and favor they show to art which is truly sacred, should strive after noble beauty rather than mere sumptuous display. This principle applies also to sacred vestments and ornaments.

Bishops should see to it that those works of art which are repugnant to faith and morals and to Christian piety and which offend true religious sense because of their depraved forms, their lack of artistic worth, or their mediocrity and artificiality, be strictly excluded from the house of God and from other sacred places.

In the construction of sacred buildings, special care must be taken to see that they are well suited for the celebration of

liturgical services and for securing the active participation of the faithful.

125. The practice of having in churches sacred images for the veneration of the faithful is to be maintained; however, they should be few in number and should be exhibited in a proper order, lest they cause astonishment to the people or encourage devotion of a dubious character.

126. When passing judgment on works of art, local Ordinaries should consult the diocesan Commission on sacred Art, and in proper cases other really expert persons, as well as the Commissions mentioned in art. 44, 45 and 46.

Ordinaries must be very watchful that sacred furnishings or precious objects which serve as ornaments to the house of God, be not alienated or allowed to perish.

127. Bishops, either in person or through priests who have a true knowledge and love of art, should pay some attention to artists and imbue them with the spirit of sacred Art and the sacred Liturgy.

It is moreover recommended that, in countries where it seems practicable, schools or Academies of sacred Art be established in order to give artists a proper training.

All artists who, in following their chosen work, intend to devote it to God's glory in Holy Church, should be ever mindful that this is in a wav a sacred imitation of the work of God the Creator, and concerns productions which are destined for Catholic worship, for the edification of the faithful, and for their devotion and religious formation.

128. Canons and ecclesiastical statutes which concern the providing of external objects in connection with sacred worship. especially as regards the worthy and proper construction of sacred buildings, the form and setting up of altars, the nobility, position and security of the eucharistie tabernacle, the suitability and dignity of the baptistery and the propriety of sacred images, decorations, and ornaments, are to be revised along with the liturgical books according to art. 25. Those which appear less suited to the reformed liturgy should be amended or abolished: and those which accord with it are to be retained if already in use, or introduced where they are lacking.

In this matter, especially as regards the material and form

of sacred furnishings and vestments, the territorial groups of Bishops are empowered to accommodate these things to local needs and customs, according to art. 22 of this Constitution.

129. During their philosophical and theological studies, clerics should be taught the history and development of sacred Art and the sound principles which should govern its productions, so that they may appreciate and preserve the venerable monuments of the Church and be able to give proper advice to artists in the production of their works.

130. It is fitting that the use of pontificals be reserved to those ecclesiastical persons who have the episcopal character or some particular jurisdiction.

APPENDIX

A DECLARATION OF THE SECOND SACRED ECUMENICAL COUNCIL OF THE VATICAN ON THE REVISION OF THE CALENDAR

The Second Sacred Ecumenical Council of the Vatican, recognizing the importance of the wishes expressed by many concerning the assignment of the feast of Easter to a fixed Sunday and concerning an unchanging calendar, and having carefully considered the effects which could result from the introduction of a new calendar, declares as follows:

1. The Sacred Council would have no objection if the feast of Easter were assigned to a particular Sunday in the Gregorian Ca'endar. provided that those whom it concerns, especially the brethren who are not in communion with the Apostolic See, give their assent.

2. The Sacred Council likewise declares that it does not oppose efforts designed to introduce a perpetual calendar into civil society.

But among the various systems which are being suggested to stabilize a perpetual calendar and to introduce it into civil life, the Church has no objection only in the case of those systems which retain and safeguard a seven-dav week with Sunday, without introducing any days outside the week, so that the succession of weeks be left intact, unless there is question

of the most serious reasons. Concerning these the Apostolic See shall judge.

Paul VI, Supreme Pontiff, in the public session of 4 December 1963, approved this Constitution and ordered its promulgation, in these words:

In the Name of the Most Holy and Undivided Trinity of the Father and the Son and the Holy Spirit. The decrees which have just been read in this Second Holy and Universal Vatican Synod, legitimately assembled, have pleased the Fathers.

And We, by the Apostolic authority conferred on Us by Christ, together with the X'enerable Fathers, do approve, decree, and establish them, and what has been thus synodally established We order to be promulgated to the glory of God.

Immediately afterward the Secretary General of the Council issued the following

DECREE

For the Constitution which has just been approved 'On the Sacred Liturgy," His Holiness decrees a suspension of the law until the 16th day of February, 1964, the I Sunday of Lent. Within that time His Holiness will determine when and how the provisions of this new Constitution are to bp put into practice. Before the expiration of that period, therefore, no one may on his own authority put these new' decrees into practice.

Pericles Felici
Titular Archbishop of Samosatana
Secretary General of the Council

AAS 56-97; Cone. Vat. II, Constitution on the Sacred Liturgy, 4 Dec. 1963. Annotations: *African Ecclesiastical Review,* 6 (1964)–1S9-198 (Henthorst) ; "Liturgical Reform," a statement from the U. S. Hierarchy in *The Catholic Mind,* 62 (May, 1964)–57–64 ; *Ephemerides Liturgicae,* 78 (1964)–185-408; *Monitor Ecclesiasticus,* 89 (1964)–44-96, 397-468 (Romita) ; *The Priest,* 20 (1964)–311 315 (O'Connell); *Revue des Communautés Religieuses,* 36 (1964)–11–22 (Bergh); *Sal Terrae,* 52 (1964)–1–19 (Martin Patino).

Some Provisions of the Constitution on the Sacred Liturgy Take Effect from 16 February, 1964 (Paul VI, Apostolic Letter, *Motu proprio,* 25 Jan. 1964) AAS 56-139.

The Vatican Press, together with the Constitution itself, issued an official text of this *Motu proprio,* as follows:

How great has always been the solicitude of Our Predecessors the Supreme Pontiffs, Our own and that of the Pastors of the Church, for the careful preservation of the Sacred Liturgy, is confirmed by many well-known published documents and also by the Constitution on this subject which the Second Ecumenical Council of the Vatican, in the solemn session held on the 4th of December of last year, 1963, approved by a notable consensus, and which We ordered to be promulgated.

This is a consequence of the fact that *"in the earthly Liturgy we have a foretaste of that heavenly Liturgy which is celebrated in the holy city of Jerusalem, the goal of our earthly pilgrimage, where Christ is sitting at the right hand of God, a minister of the holies and of the true tabernacle; with all the hosts of heaven we sing a hymn of glory to the Lord; while venerating the memory of the Saints we have the hope of some part and fellowship with them; we await the Savior our Lord Jesus Christ, until He shall appear who is our life; and we will appear with Him in glory.'*[1]

Christians who in this way worship God, the principle and basis of all holiness, are drawn and as it were impelled toward its attainment, and become in this earthly pilgrimage, contenders for the heavenly Jerusalem.[2]

It is evident, then, that in this matter We have nothing more at heart than that the faithful, and especially priests, should first study the Constitution thoroughly, and then prepare themselves even now to fulfill its precepts wholeheartedly as soon as they go into effect. Matters which pertain to the knowledge and popularization of liturgical laws must of their very nature become effective immediately; hence We must earnestly exhort Bishops, with the help of their sacred ministers, dispensers of the mysteries of God,[3] to strive without delay to the end that the faithful under their care, according to their age, condition

1 Constitution on the Sacred Liturgy, n. 8; reported immediately above.
2 From the hymn for Lauds on the feast of the Dedication of a Church.
« Cf. 1 Cor. 4:1.

of life and degree of culture, may both grasp the innate power and value of the sacred liturgy and enter most conscientiously, body and soul, into participation in the rites of the Church.[4]

All agree that many of the provisions of the Constitution cannot be put into effect within a short time, since before this is done certain rites must be revised and new liturgical books must be prepared. In order that this work may be done with the necessary wisdom and prudence, We establish a Commission whose principal work will be to provide for the faithful implementation of the precepts of the Constitution on the Sacred Liturgy.

However, since some of the norms of the Constitution can evidently begin to be observed even now, it is Our will that these be put into practice without delay, so that the faithful may not have longer to wait for the fruits of grace which are expected from their observance.

Wherefore, by Our apostolic authority and of Our own motion We prescribe and decree that from the coming I Sunday of Lent, that is from the 16th day of February of this year of 1964, when the period of the law's suspension expires, the following regulations shall go into effect.

I) In connection with the prescription of art. 15, 16, and 17, on the liturgical instruction to be given in seminaries, schools of religious Sodalities and theological Faculties, We desire that in those same institutions the *rationes studiorum* be prepared even now, so that those prescriptions may be diligently observed from the beginning of the next scholastic year.

II) We also decree, on the basis of art. 45 and 46, that every diocese is to have a Council charged with the duty, under the direction of the Bishop, to see that the Liturgy be constantly better known and more effectively promoted.

In this matter it is sometimes desirable that several dioceses have this Council in common.

Moreover every diocese, as far as possible, should have two other Councils, one on sacred Music and the other on sacred Art.

In an individual diocese it will sometimes be advisable that these three Councils be merged into one.

[4] *Ci.* Constitution, art. 19.

III) We desire also that, from the date mentioned above, the prescription that a homily be given during Mass on Sundays and feast days of obligation, shall be in effect according to art. 52.

IV) We decree that that part of art. 71 which prescribes that the Sacrament of Confirmation may when convenient be conferred during Mass, after the reading of the Gospel and the homily, go into effect immediately.

V) As regards art. 78, the Sacrament of Matrimony is normally to be celebrated within the Mass, after the Gospel has been read and the homily has been given.

When Matrimony is celebrated without a Mass, until the entire rite of this Sacrament is restored, let the following be observed: at the beginning of this ceremony, after a brief admonition,[5] the Epistle and Gospel from the Mass *pro sponsis* are read in the vernacular; then the nuptial blessing which is found in the Roman Ritual, title VIII, chapter III, is always to be given.

VI) Although the divine Office is not yet revised and restored as provided in art. 89, We now give permission to those who are not bound to choir duty, so that from the expiration of the suspension period they may omit the Hour of Prime and choose among the other little Hours the one which corresponds most closely with the hour of the day.

In giving this permission We are quite confident that sacred ministers will be sufficiently careful not to grow remiss in their devotion, so that, if they have diligently performed the duty of one of their priestly offices for the love of God, they may be supposed to remain mentally united to Him for the entire day.

VII) In regard to this same divine Office, in particular cases and for just cause, Ordinaries can dispense their subjects wholly or in part from the obligation of reciting the Office, or they may commute the obligation."

VIII) Concerning the recitation of this same divine Office, We declare that the members of any Institute, who profess religious perfection and who according to their rules recite either some parts of the divine Office or some little Office which is

5 Cf. Constitution, art. 35 § 3.
6 Cf. Constitution, art. 97.

composed after the manner of the divine Office and duly approved, are to be considered as praying publicly with the Church.[7]

IX) Because art. 101 of the Constitution, for those who are bound to recite the divine Office, grants the faculty, in various ways for various classes of persons, to use the vernacular instead of the Latin language, We wish to make it clear that these various popular translations must be drawn up and approved by the competent ecclesiastical territorial authority, as provided in art. 36 §§ 3 and 4; and that the acts of this authority, according to art. 36 § 3, must be duly approved and confirmed by the Apostolic See. We order that this be always observed whenever any liturgical Latin text is translated by the said authority into the vernacular.

X) Since according to the Constitution (art. 22 § 2) the regulation of the liturgy is, within certain limits, entrusted also to various kinds of competent territorial bodies of Bishops legitimately established, We decree that for the present these bodies must be on the national level.

In these national bodies, besides the resident Bishops, the Prelates mentioned in canon 292 of the Code of Canon Law- have by law the right to be present and to cast a vote; the Coadjutor and Auxiliary Bishops may also be called.

In these groups, two-thirds of the votes by secret ballot are required to pass any legitimate decree.

XI) Finally, We wish it to be understood that, aside from the liturgical matters which by the present Apostolic Letter We have either changed or ordered to become effective in advance, the regulation of the sacred Liturgy depends solely on the authority of the Church: that is, it depends on this Apostolic See and, as may be provided by law, on the Bishops; and therefore no other person, not even a priest, may add, remove or change anything in the liturgy on his own authority.[8]

We order that whatever We have decreed by this Our *ntotu proprio* Letter shall remain firm and valid, all things to the contrary notwithstanding.

Given at Rome, from St. Peter's the 25th day of January in the year 1964, the first of Our Pontificate.

7 Cf. Constitution, art. 98.

8 Cf. Constitution, art. 22 § 1 and 22 § 3.

AAS 56-139; Paul VI, Apostolic Letter *Motu proprio, 25 Jan.,* 1964. Annotations; *Sal Terrae, 52* (1964)–129–144 (Martin Patino); 176-185; 375-378 (Regatillo).

Holy Communion: New Formula for Distributing (S. C. Rit., 25 Apr., 1964) AAS 56-337.

In order that the faithful may take part more actively and with greater profit in the Sacrifice of the Mass, and may in the very act of receiving Communion, profess their faith in the most sacred mystery of the Eucharist, a great number of petitions have been presented to His Holiness Paul VI, asking that a more appropriate formula be used in distributing the Body of our Lord Jesus Christ to the faithful.

Accordingly, His Holiness, graciousl}' acceding to these requests, has deigned to ordain that in distributing Holy Communion, the present formula be abandoned and that the priest say only: "*Corpus Christi,*" and that the faithful reply, *"Amen,"* and then be given Communion. And this is to be observed whenever Holy Communion is given, either in the Mass or outside of Mass.

All things, even though worthy of special mention, to the contrary notwithstanding.[1]

From the Sacred Congregation of Rites, 25 April, 1964.

AAS 56-337; S. C. Rit., 25 Apr., 1964. Annotations, *Sal Terrae, 52* (1964)-573-576 (Regatillo).

Benediction: Invocation to Holy Spirit Added to Divine Praises (S. C. Rit., 25 Apr., 1964) AAS 56-338.

The pious invocations in praise of God, of our Lord Jesus Christ and of the Blessed Virgin Mary, which first began as acts of reparation for insults to these most holy names, assumed in the course of time rather the nature of praise, and several invocations were added for the devotion of the faithful. Wherefore, in order that in this prayerful practice the entire Trinity might receive Its due tribute of praise and prayer, many petitions have been addressed to His Holiness Pope Paul VI, asking that a special invocation to the Holy Spirit be added.

[1] Official note: By gracious concession of His Holiness Paul VI, this decree may be put into effect at once; beginning from Pentecost Sunday it must be observed by all.

Accordingly, His Holiness, graciously acceding to these requests, has decreed that in the divine praises in reparation for profane language, which begin with the invocation, "Blessed be God," after the invocation, "Blessed be Jesus in the Most Holy Sacrament of the Altar," an eighth invocation be inserted: "Blessed be the Holy Spirit, the Paraclete."

All things to the contrary notwithstanding.

Given at Rome, from the Secretariate of the Sacred Congregation of Rites, on the 25th of April, 1964.

AAS 56-338; S. C. Rit., 25 Apr., 1964.

Commemoration of Pope Paul's Anniversary at Mass (S. C. Rit., 9 May, 1964) Private.

A decree of the Sacred Congregation of Rites.

On the 30th of June, the anniversary of the coronation of His Holiness, Pope Paul VI, happily reigning, the oration *pro Papa* is to be said under a separate conclusion in all Masses of the feast, both in sung and in low Masses of whatever grade of celebration; in other regards, the rubrics are to be observed.

If, however, another Mass is celebrated on that same date, the oration *pro Papa* must be said under one conclusion with the collect of the Mass.

(Private); S. C. Rit., Decree, 9 May, 1964; not reported in AAS but in *L'Osservatore Romano,* anno 104, n. 107 (10 May, 1964)–2.

Instruction for the Proper Implementation of the Constitution on the Sacred Liturgy (S. C. Rit., 26 Sept., 1964) AAS 56-877.

Introduction

I. *Nature oj this Instruction*

1. The Constitution on the Sacred Liturgy is deservedly counted among the firstfruits of the Second Ecumenical Vatican Council, since it governs the most excellent part of the Church's activity. It will bear more abundant fruit the more profoundly the pastors and the faithful of Christ perceive its genuine spirit and put it into practice with good will.

2. The Commission for the Implementation of the Constitution on the Sacred Liturgy, established by the Supreme Pontiff, Paul VI, happily reigning, in the Apostolic Letter *Sacravi Liturgiam,'* has already speedily undertaken the task entrusted to it, to bring the directives of the Constitution and of the Apostolic Letter to a proper fulfillment and to provide for the interpretation and execution of these documents.

3. It is of the greatest importance that these documents should, from the very beginning, be properly applied everywhere and doubts, if there are any, concerning their interpretation be removed. Therefore, the Commission, by mandate of the Supreme Pontiff, has prepared this instruction in which the functions of the bodies of Bishops in liturgical matters are more clearly de-nned, some principles given in general words in the above-men-tioned documents are explained more precisely, and, finally, some matters, which can be put into practice now before the restora-tion of the liturgical books, are allowed or prescribed.

II. *Some principles to be noted*

4. What is now defined as to be put into practice has the purpose of making the liturgy correspond always more perfectly to the mind of the Council concerning the promotion of active participation of the faithful.

The general reform of the sacred liturgy, moreover, will be accepted more readily by the faithful if it proceeds gradually and by stages and if the reform is proposed to the faithful and explained to them by the pastors by means of the required catechesis.

5. Nevertheless, it is necessary first that all be persuaded that the intention of the Constitution on the Sacred Liturgy of Vatican Council II is not only to change liturgical forms and texts, but rather to stir up that formation of the faithful and pastoral activity which has the sacred liturgy as summit and fount (cf. Const., art. 10). The changes thus far introduced as well as those to be introduced into the sacred liturgy in the future arc directed toward this end.

6. The force of this pastoral-liturgical activity rests in this, that the Christian life may express the paschal mystery in which

l Reported above, p. 6S.

the Son of God made flesh and made obedient even to the death of the cross, is so exalted in His resurrection and ascension that He may share His divine life with the world. By this life men, dead to sin and conformed to Christ, "may live no longer for themselves but for Him who died for them and rose again" (2 Cor. 5:15).

This is done through faith and through the sacraments of faith, that is, chiefly through baptism (cf. Const., art. 6) and the most sacred mystery of the Eucharist (cf. Const., art. 47). Around the Eucharist are arranged the other sacraments and the sacramentals (cf. Const., art. 61) and the cycle of celebrations by which the paschal mystery of Christ is unfolded in the Church during the course of the year (cf. Const., art. 102-107).

7. Therefore, even if the liturgy does not exhaust the entire action of the Church (cf. Const., art. 9), nevertheless the greatest attention must be paid to the necessary connection between pastoral works and the sacred liturgy so that pastoral-liturgical action is not exercised as if separate and abstract, but as intimately joined to other pastoral activities.

It is especially necessary that there be a close union between the liturgy and catechesis, religious formation and preaching.

III. *Fruits to be hoped jor*

8. Consequently, the Bishops and their assistants in the priesthood should daily relate their entire pastoral ministry more closely to the liturgy. In this way the faithful may derive the divine life in abundance from the perfect participation in the sacred celebrations and, made the ferment of Christ and the salt of the earth, will proclaim the divine life and communicate it to others.

Chapter I

SOME GENERAL NORMS

I. *Application oj these norms*

9. The practical norms found in the Constitution or in this instruction, and whatever is permitted or prescribed now by this instruction before the restoration of the liturgical books, even if they pertain to the Roman rite alone, may nevertheless be

applied to the other Latin rites with due observance of the requirements of law.

10. Those matters which are entrusted to the competent territorial ecclesiastical authority in this instruction may and should be put into effect by that authority alone through legitimate decrees.

In individual cases, however, the time and the circumstances in which these decrees will take effect shall be defined, always with a reasonable interval of time for the faithful to be instructed and prepared for their implementation.

II. *Liturgical formation of clerics* (Const., arts. 15-16 and IS)

11. With regard to the liturgical formation of clerics:

a) In theological faculties there shall be a chair of liturgy so that all the students may receive the necessary liturgical instruction. In seminaries and in houses of studies of religious local Ordinaries and major superiors shall see to it that as soon as possible there be a special and properly prepared teacher of liturgy.

6) Professors who are appointed to teach sacred liturgy shall be prepared as soon as possible in accordance with the norm of art. 15 of the Constitution.

c) For the further liturgical instruction of clerics, particularly of those who are already working in the Lord's vineyard, pastoral-liturgical institutes shall be established where possible.

12. The liturgy shall be taught for a suitable period of time to be indicated by the competent authority in the curriculum of studies and according to an appropriate method in accordance with the norm of art. 16 of the Constitution.

13. Liturgical services shall be celebrated as perfectly as possible. Therefore:

a) The rubrics shall be carefully observed and the ceremonies becomingly performed under the diligent vigilance of moderators and with the necessary preparations beforehand.

Λ) Clerics shall frequently fulfill the liturgical functions of their Order, that is, of deacon, subdeacon, acolyte, lector and. in addition, of commentator and cantor.

c) The churches and oratories, the sacred furnishings in general, and sacred vestments shall afford an example of genuine Christian art, including contemporary art.

III. *Liturgical formation of the spiritual life of clerics* (Const., art. 17)

14. In order that clerics may be formed for the full participation in liturgical celebrations and for the spiritual life to be derived from these celebrations and better to be shared with others, the Constitution on the Sacred Liturgy shall be put into full effect in seminaries and houses of studies of religious in accordance with the norm of documents from the Apostolic See. To tins end there should be unanimous and harmonious cooperation by all the directors and teachers. A suitable formation in the sacred liturgy shall be provided for the clerics together with the recommendation of books dealing with the liturgy, especially under its theological and spiritual aspect, which should be available in the library in sufficient numbers. Formation should be provided by meditations and public conferences which shall be drawn above all from the fount of sacred scripture and the liturgy (cf. Const., art. 35, 2), and by common exercises in accord with Christian custom and usage but suited to the various seasons of the liturgical year.

15. The Eucharist, the center of the entire spiritual life, shall be celebrated daily with the use of different and appropriate forms which best correspond to the condition of the participants (cf. Const., art. 19).

On Sundays, however, and on other major feast days, a sung Mass shall be celebrated with the participation of all who are in the house, with a homily and, as far as possible, with the sacramental communion of those who are not priests. The priests may concelebrate, especially on the more solemn feast days, if the needs of the faithful do not require that they celebrate individually, and after the new rite of concélébration has been published.

It is desirable that, at least on major feast days, the students should participate in the celebration of the Eucharist assembled around the Bishop in the cathedral church (cf. Const., art. 41).

16. It is most fitting that the clerics, even if they are not yet bound by the obligation of the divine Office, should each morning recite or chant in common Lauds as morning prayer and, in the evening, Vespers as evening prayer, or Compline at the end

of the day. The directors themselves shall take part in this common recitation as far as possible. In addition, sufficient time shall be provided in the daily order for clerics in sacred Orders to pray the divine Office.

It is desirable that, at least on major feast days, the students should, where possible, chant Vespers in the cathedral church.

17. Exercises of piety, arranged according to the laws or customs of each place or institute, shall be held in due esteem. Xevertheless, care should be taken, especially if these exercises are performed in common, that they be in harmony with the sacred liturgy according to the intent of art. 13 of the Constitution, and that they be related to the seasons of the liturgical year.

IV. *Liturgical formation of members of institutes dedicated to acquiring perfection*

18. What has been said in the preceding articles concerning the liturgical formation of the spiritual life of clerics must, with the necessary adaptions, be applied also to the members, both men and women, of institutes dedicated to acquiring perfection.

V. *Liturgical formation of the faithful* (Const., art. 19)

19. Pastors of souls shall strive diligently and patiently to carry out the command of the Constitution concerning the liturgical formation of the faithful and their active participation, both internal and external, "according to their age and condition, their way of life, and degree of religious culture" (Const., art. 19). They should be especially concerned about the liturgical formation and the active participation of those who are engaged in religious associations of the laity, since it is the latter's duty to share more intimately in the life of the Church and also to assist the pastors of souls in properly promoting the liturgical life of the parish (cf. Const., art. 42).

VI. *Competent authority in liturgical matters* (Const., art. 22)

20. Regulation of the sacred liturgy pertains to the authority of the Church: therefore, no other person shall proceed in this matter on his own authority to the detriment, as may often

happen, of the liturgy itself and of its restoration by the competent authority.

21. It pertains to the Apostolic See to reform and to approve the general liturgical books; to set in order the sacred liturgy in those matters which affect the universal Church; to approve, that is, to confirm the acts and deliberations of the territorial authority; and to receive the proposals and petitions of the same territorial authority.

22. It pertains to the Bishop to regulate the liturgy within the limits of his diocese in accordance with the norms and spirit of the Constitution on the Sacred Liturgy as well as the decrees of the Apostolic See and of the competent territorial authority.

23. The various kinds of territorial bodies of Bishops to which the regulation of the liturgy pertains in virtue of art. 22, § 2 of the Constitution must, *for the interim,* be understood to be:

a) either the body of all the Bishops of a nation, in accordance with the norm of the Apostolic Letter *Sacram Liturgiam,* n. ٧.

b) or a body already lawfully constituted which consists of the Bishops, or of the Bishops and other local Ordinaries, of several nations;

c) or a body to be established, with the permission of the Apostolic See, consisting of the Bishops or of the Bishops and other local Ordinaries of several nations, especially if in the individual nations the Bishops are so few that they may convene more profitably from various nations of the same language or of the same general culture.

If the particular local conditions suggest another solution, the matter should be proposed to the Apostolic See.

24. The following must be invited to the above-mentioned bodies:

a) residential Bishops;

b) Abbots and Prelates *nullius;*

c) Vicars and Prefects Apostolic;

d) permanently approved Apostolic Administrators of dioceses;

e) all other local Ordinaries except Vicars General.

Coadjutor and auxiliary Bishops may be invited by the president with the consent of the majority of those who take part in the body with deliberative vote.

25. Unless the law provides otherwise for certain places in

view of particular circumstances, the convocation of the body must be made:

a) by the respective president, in the case of bodies already lawfully established;

b) in other cases, by the Archbishop or Bishop who has the right of precedence in accordance with the norm of law.

26. The president, with the consent of the Fathers, determines the order to be followed in the examination of questions, and opens, transfers, prorogues, and closes the meeting.

27. A deliberative vote belongs to all who are named in n. 24, including coadjutor and auxiliary Bishops, unless a different provision is expressly made in the document of convocation.

28. For the lawful enactment of decrees, two thirds of the votes, taken by secret ballot, are required.

29. The acts of the competent territorial authority are to be transmitted to the Apostolic See for approval, that is, confirmation, and should contain the following:

a) the names of those who took part in the session;

b) a report of matters taken up;

c) the result of voting for the individual decrees.

Two copies of these acts, signed by the president and the secretary of the body and with the proper seal, shall be sent to the Commission for the Implementation of the Constitution on the Sacred Liturgy.

30. When, however, it is a question of acts in which there are decrees concerning the use and extent of the vernacular language to be admitted in the liturgy, besides what is enumerated in n. 29, in accordance with art. 36, § 3 of the Constitution and the Apostolic Letter *Sacravi Liturgiam,* η. IX, the acts should also contain:

a) an indication of the individual parts of the liturgy which are to be said in the vernacular;

ȯ) two copies of the liturgical texts prepared in the vernacular, one copy of which will be returned to the body of Bishops;

c) a brief report concerning the criteria upon which the work of translation was based.

31. The decrees of the territorial authority which need the approval, that is, the confirmation of the Apostolic See, shall be promulgated and put into practice only when they have been approved, that is, confirmed, by the Apostolic See.

VII. *The office of individuals in the liturgy* (Const., art. 28)

32. The parts which pertain to the schola or to the people, if they are sung or recited by them, are not said privately by the celebrant.

33. Likewise the celebrant does not say privately the lessons which are recited or chanted by a competent minister or by a server.

VIII. *Avoiding distinctions of person* (Const., art. 32)

34. The individual Bishops or, if it seems opportune, the regional or national conferences of Bishops shall see to it that the prescription of the holy Council which forbids any favor to private persons or any favor on the basis of social distinctions, either in ceremonies or in external pomp, shall be put into effect in their territories.

35. In addition, pastors of souls shall work with prudence and charity so that, in the liturgical services and, more especially, in the celebration of Mass and the administration of sacraments and sacramentals, the equality of the faithful shall be evident even outwardly and that, further, all appearance of money-seeking be avoided.

IX. *Simplification of certain rites* (Const., art. 34)

36. In order that the liturgical services may exhibit a noble simplicity in harmony with the mentality of our times:

fl) the salutations to the choir on the part of the celebrant and the ministers shall be made only at the beginning and at the end of the sacred rite;

b) the incensation of the clergy, apart from those who are Bishops, shall be done once for each part of the choir, with three swings of the thurible;

c) the incensation of the altar shall be done only at that altar at which the liturgical service is being celebrated;

d) the kisses of the hand and of objects which are being presented or received shall be omitted.

X. *Sacred celebrations of the word of God* (Const., art. 35, 4)

37. In places which lack a priest, if no priest is available for the celebration of Mass on Sundays and feast days of precept, the sacred celebration of the word of God shall be fostered, according to the judgment of the local Ordinary, with a deacon or even a layman, authorized for this purpose, presiding over the service.

The pattern of this celebration shall be almost the same as the liturgy of the word in Mass: ordinarily the epistle and gospel of the Mass of the day shall be read in the vernacular, with chants, especially from the psalms, before the lessons and between them; the one who presides shall give a homily, if he is a deacon; if not a deacon, he shall read a homily indicated by the Bishop or the pastor; and the whole celebration shall be closed with the "common prayer" or "prayer of the faithful" and with the Lord's prayer.

38. It is also fitting that sacred celebrations of the word of God, which are to be encouraged on the vigils of the more solemn feasts, on some weekdays in Advent and Lent, and on Sundays and feast days, should take into account the pattern of the liturgy of the word in Mass, although there may be only a single reading.

In the arrangement of several readings, however, in order that the history of salvation may be clearly discerned, the reading from the Old Testament shall generally precede the reading from the New Testament, and the reading of the holy gospel shall appear as the climax.

39. In order that these celebrations may be held with dignity and piety, it shall be the task of the liturgical commissions in the individual dioceses to indicate and provide appropriate aids.

XI. *Vernacular translations oj liturgical texts* (Const., art. 36, § 3)

40. In vernacular translations of liturgical texts prepared in accordance with the norm of art. 36, § 3, it is fitting that the following be observed:

a) The vernacular translations of liturgical texts shall be made from the Latin liturgical text. The version of the biblical peri-

copes, however, should conform to the Latin liturgical text but with the possibility of revising this translation, if deemed advisable, in accordance with the original text or some other clearer translation.

6) The preparation of the translation of liturgical texts should be entrusted, as a special concern, to the liturgical commission mentioned in art. 44 of the Constitution and in n. 44 of this instruction. So far as possible, the institute of pastoral liturgy should assist the commission. But if there is no such commission, the supervision of the translation should be entrusted to two or three Bishops who will choose persons, including lay persons, expert in scripture, liturgy, biblical languages, Latin, the vernacular language, and music, because the perfect translation of the liturgical text into the language of the people must necessarily and properly fulfill many conditions at the same time.

c) Whenever it is called for, there should be consultation concerning translations with the Bishops of neighboring regions which have the same language.

d) In nations which have several languages, different vernacular translations should be prepared for these languages and submitted to the special examination of the Bishops concerned.

c) Consideration should be given to the dignity of the books from which the liturgical text is read to the people in the vernacular language so that the dignity of the book itself may move the faithful to a greater reverence for the word of God and for sacred things.

4L In liturgical services which are celebrated in some places with people of another language, it is lawful with the consent of the local Ordinary to use the vernacular language known to these faithful, especially in the case of groups of immigrants, or of members of a personal parish, or similar instances. This shall be done in accordance with the extent of the use of the vernacular and the translation as legitimately approved by a competent territorial ecclesiastical authority of the respective language.

42. New melodies for parts to be sung in the vernacular language by the celebrant and the ministers must be approved by the competent territorial ecclesiastical authority.

43. Particular liturgical books which were lawfully approved before the promulgation of the Constitution on the Sacred Liturgy as well as induits conceded up to that day retain their

force unless they are opposed to the Constitution, until other provision is made in the liturgical restoration as this is completed in whole or in part.

XII. *The liturgical commission of the body of Bishops* (Const., art. 44)

44. The liturgical commission, which it is desirable that the territorial authority establish, shall, as far as possible, be chosen from among the Bishops themselves. Or, at least, it shall consist of one or two Bishops with the addition of some priests expert in liturgical and pastoral matters, who are designated by name for this office.

It is desirable that the members of this commission be convened several times a year with the consultors of the commission that they may deal with questions together.

45. The territorial authority may, as circumstances suggest, entrust the following to this commission:

a) studies and experiments to be promoted in accordance with the norm of art. 40, 1) and 2) of the Constitution;

b) practical initiatives to be undertaken for the entire territory, by which the liturgy and the application of the Constitution on the Sacred Liturgy may be encouraged;

c) studies and the preparation of aids which becomes necessary in virtue of the decrees of the plenary body of Bishops;

d) the office of regulating the pastoral-liturgical action in the entire nation, supervising the application of the decrees of the plenary body and reporting to the body concerning all these matters;

e) consultations to be undertaken frequently and common initiatives to be promoted with associations in the same region which are concerned with scripture, catechetics, pastoral care, music, and sacred art, and with every kind of religious association of the laity.

46. The members of the institute of pastoral liturgy as well as individual experts who are called to assist the liturgical commission shall also freely offer their assistance to individual Bishops for the more effective promotion of pastoral-liturgical action in their territory.

XIII. *The diocesan liturgical commission* (Const., art. 45)

47. The following duties pertain to the diocesan liturgical commission under the direction of the Bishop:

o) to be informed about the state of pastoral-liturgical action in the diocese;

6) to implement carefully what is proposed in liturgical matters by the competent authority and to obtain information concerning studies and programs which are taking place elsewhere in this field;

c) to suggest and promote practical undertakings of every kind which may help to promote the liturgy, especially those which will assist priests already working in the Lord's vineyard;

J) in individual cases, or also for the entire diocese, to suggest opportune and progressive steps in the work of pastoral liturgy; to indicate and also to call upon suitable persons who, on occasion, may help priests in this matter; and to propose suitable materials and aids;

e) to see to it that programs in the diocese to promote the liturgy progress with a harmonious spirit and with the assistance of other associations in a way similar to that indicated for the commission established within the body of Bishops (n. 45, *e*).

Chapter II

THE MOST HOLY MYSTERY OF THE EUCHARIST

I. *The rite of the Mass* (Const., art. 50)

48. Until the entire rite of the Mass is restored, the following shall be observed:

a) The parts of the Proper which are sung or recited by the schola or by the people are not said privately by the celebrant.

b) The celebrant may sing or recite the parts of the Ordinary together with the people or the schola.

c) In the prayers to be said at the foot of the altar at the beginning of Mass, psalm 42 is omitted. All the prayers at the foot of the altar are omitted whenever another liturgical service immediately precedes the Mass.

d) In solemn Masses the paten is not held by the subdeacon but is left upon the altar.

c) The secret prayer or prayer over the offerings shall be chanted in sung Masses and recited in a loud voice in other Masses.

/) The doxology at the end of the Canon, from the words *Per ipsum* to *Per omnia saecula sacculorum. R. Amen,* inclusive, shall be chanted or recited in a loud voice. Moreover, throughout the entire doxology the celebrant lifts up the chalice and the host for the little elevation, omitting the signs of the cross, and at the end genuflects only after the response *Amen* is given by the people.

g) In low Masses the *Paler noster* may be recited by the people together with the celebrant in the vernacular language; in sung Masses it may be chanted by the people together with the celebrant in the Latin language and, if the territorial ecclesiastical authority shall so decree, also in the vernacular language, to melodies approved by the same authority.

h) The embolism after the Lord's prayer shall be chanted or recited in a loud voice.

i) In distributing Holy Communion the formula, *The Body oj Christ,* shall be used. The celebrant, as he says these words, lifts up the host a little above the ciborium to show it to the communicant, who responds: *Amen,* and afterward is given Communion by the celebrant. The sign of the cross with the host is omitted.

;) The last gospel is omitted; the Leonine prayers are suppressed.

k) It is lawful to celebrate a sung Mass with a deacon only,

/) It is lawful for Bishops, if necessary, to celebrate a sung Mass according to the form used by priests.

II. *Lessons and chants between the lessons*
(Const., art. 51)

49. In Masses celebrated with the people, the lessons, epistle, and gospel shall be read or chanted facing the people:

a) in solemn Mass, at the ambo or at the edge of the sanctuary area;

b) in sung Mass or in low Mass, if they are read or chanted

by the celebrant, either at the altar or at the ambo or at the edge of the sanctuary area as may be more convenient; but if they are read or chanted by another, at the ambo or at the edge of the sanctuary area.

50. In Masses celebrated with the people which are not solemn Masses, the lessons and epistle together with the intervenient chants may be read by a qualified lector or server while the celebrant sits and listens. The gospel, however, may be read by a deacon or by a second priest, who says the *Munda cor meum,* seeks the blessing, and at the end presents the book of gospels for the celebrant to kiss.

51. In sung Masses, the lessons, epistle, and gospel, if they are proclaimed in the vernacular, may be recited without chant.

52. In reciting or chanting the lessons, epistle, the chants which occur after them, and the gospel, the order is as follows:

g) In solemn Mass, the celebrant sits and listens to the lessons and epistle as well as to the intervenient chants. After the epistle has been chanted or recited, the subdeacon goes to the celebrant and is blessed by him. Then the celebrant, seated, places incense in the thurible and blesses it. While the *Alleluia* and its verse are being chanted or toward the end of other chants following the epistle, the celebrant rises to bless the deacon. At his seat he listens to the gospel, kisses the book of gospels, and, after the homily, intones the Creed, if the latter is to be said. At the end of the Creed, he returns to the altar with the ministers, unless he is to direct the prayer of the faithful.

b) In sung or low Masses in which the lessons, epistle, the chants following them, and the gospel are sung or recited by the minister mentioned in n. 50, the celebrant acts in the manner described above.

c) In sung or low Masses in which the gospel is chanted or read by the celebrant, while the *Alleluia* and its verse are being chanted or recited, or toward the end of other chants following the epistle, he goes to the lowest step of the altar and there bows deeply while saying *Munda cor mcuni.* Then he goes to the ambo or to the edge of the sanctuary area to chant or recite the gospel.

d) But if, in a sung or low Mass, all the lessons are chanted or recited by the celebrant at the ambo or at the edge of the sanctuary area, then, standing in the same place, he also recites

the chants occurring after the lessons and the epistle, if this is necessary; he says *Munda cor meum* turned toward the altar.

III. *The homily* (Const., Art. 52)

53. There shall be a homily on Sundays and feast days of precept in all Masses which are celebrated with the people present. No exception may be made for conventual, sung, or pontifical Masses.

On other days, a homily is recommended, especially on certain weekdays of Advent and Lent, as well as on other occasions when the people come to church in larger numbers.

54. By a homily derived from the sacred text is understood an explanation either of some aspect of the readings from holy scripture or of another text from the Ordinary' or Proper of the Mass of the day, taking into account the mystery which is being celebrated and the particular needs of the hearers.

55. If plans of preaching within Mass are proposed for certain periods, the intimate connection with at least the principal seasons and feasts of the liturgical year (cf. Const., art. 102-104), that is, with the mystery of the Redemption, is to be preserved harmoniously because the homily is part of the liturgy of the day.

IV. *The common prayer or prayer of the jaithjul* (Const., art. 53)

56. In places where the custom is already in force of having the common prayer or prayer of the faithful, for the interim it shall take place before the offertory, after the word *Oremus,* according to the formulas now in use in the individual regions. The celebrant shall direct the prayer either from his seat, from the altar, from the ambo, or from the edge of the sanctuary area.

The intentions or invocations may be chanted by a deacon or a cantor or other qualified server, reserving to the celebrant the words of introduction and the concluding prayer. This latter will ordinarily be *Deus, refugium nostrum et virtus* (cf. *Missale Romanum, Orationes diversae,* η. 20) or another prayer which corresponds better to a particular need.

In places where the common prayer or prayer of the faithful is not in use, the competent territorial authority can decree that it be done in the manner indicated above, with formulas approved for the interim by that authority.

V. *The place which may be granted to the vernacular language in the Mass* (Const., art. 54)

57. In Masses, whether sung or low, which are celebrated with the people, the competent territorial ecclesiastical authority may admit the vernacular language after the decrees have been approved, that is, confirmed, by the Apostolic See:

a) especially in proclaiming the lessons, epistle, and gospel as well as in the common prayer or prayer of the faithful;

b) according to the circumstances of the place, also in the chants of the Ordinary of the Mass, namely, *Kyrie, Gloria, Credo, Sanctus-Benedictus* and *Agnus Dei,* and in the antiphons at the introit, offertory, and communion, as well as in the chants that occur between the lessons;

c) moreover, in the acclamations, salutations, and dialogue formulas together with the formulas at the commuinon of the faithful: *Ecce Agnus Dei; Domine, non sum dignus* and *Corpus Christi,* and in the Lord's Prayer with its introduction and embolism.

Missals for liturgical use, however, should contain the Latin text in addition to the vernacular translation.

58. It pertains solely to the Apostolic See to concede the vernacular language in other parts of the Mass which are chanted or recited by the celebrant alone.

59. Pastors of souls shall carefully see to it that the faithful, more particularly the members of lay religious associations, also know how to say or to sing together in the Latin language those parts of the Ordinary of the Mass which pertain to them, especially with the use of simpler melodies.

VI. *The faculty of repeating Communion on the same day* (Const., art. 55)

60. The faithful who receive Communion in the Mass of the Easter Vigil or in the midnight Mass of Christmas may also receive Communion again in the second Mass of Easter and in one of the Masses which are celebrated on Christmas in the daytime.

Chapter III

THE OTHER SACRAMENTS AND THE SACRAMEXTALS

I. *The place which may be granted to the vernacular language* (Const., art. 63)

61. The competent territorial authority may admit the vernacular language after the decrees have been approved, that is, confirmed, by the Apostolic See:

) in the rites of baptism, confirmation, penance, anointing of the sick, and matrimony, including the essential forms, as well as in the distribution of Holy Communion;

) in the conferral of Orders: in the addresses at the beginning of each ordination or consecration, as well as in the examination of the bishop-elect in episcopal consecration, and in the admonitions;

c) in the sacramentals;

d) in funeral rites.

Wherever a more extended use of the vernacular languages appears desirable, the regulation of art. 40 of the Constitution is to be observed.

II. *Things to be suppressed in the rite for supplying omissions in baptism* (Const., art. 69)

62. In the rite for supplying omissions in the case of a baptized infant, which is given in the *Roman Ritual,* tit. II, cap. 5, those exorcisms shall be omitted which are found under n. 6 *(Exi ab eo),* 10 *(Exorcizo te, immunde spiritus — Ergo, maledicte diabole),* and 15 *(Exorcizo te, omnis spiritus.)*

63. In the rite for supplying omissions in the case of a baptized adult, which is given in the *Roman Ritual,* tit. II cap. 6, those exorcisms shall be omitted which are found under n. 5 *(Exi ab co),* 15 *(Ergo, maledicte diabole),* 17 *(Audi, maledicte satana),* 19 *(Exorcizo te — Ergo, maledicte diabole),* 21 *(Ergo, maledicte diabole),* 23 *(Ergo, maledicte diabole),* 25 *(Exorcizo te — Ergo, maledicte diabole),* 31 *(Nec te latet),* and 35 *(Exi, immunde spiritus).*

III. *Confirmation* (Const., art. 71)

64. If confirmation is conferred within Mass, it is fitting that

the Mass be celebrated by the Bishop himself. In this case he confers confirmation while vested in the Mass vestments.

However, when confirmation is conferred within Mass, the Mass of the Holy Spirit may be celebrated as a votive Mass of II class.

65. After the gospel and homily, before the reception of confirmation, it is praiseworthy that those to be confirmed should renew the baptismal promises according to the rite legitimately in use in the individual regions unless this has already taken place before Mass.

66. If the Mass is celebrated by another, it is fitting that the Bishop assist at the Mass wearing the vestments prescribed for the conferral of confirmation, which may be either the color of the Mass or white. The Bishop himself shall give the homily and the celebrant shall resume the Mass only after confirmation has been conferred.

67. Confirmation is conferred according to the rite set down in the *Roman Pontifical* but at the words *In nomine Patris, et Filii, et Spiritus Sancti* which follow the formula *Signo te,* a single sign of the cross shall be made.

IV. *Continuous rite for anointing of the sick and Viaticum* (Const., art. 74)

68. When anointing of the sick and Viaticum are administered at the same time, unless a continuous rite is already found in a particular ritual, the rite shall be arranged as follows: after the sprinkling with holy water and the prayers of entrance which are given in the rite of anointing, the priest shall hear the confession of the sick person, if necessary, then administer the anointing, and, finally, give Viaticum, omitting the sprinkling with its formulas and the *Confiteor* and absolution.

If, however, the apostolic blessing with a plenary indulgence at the hour of death is to be imparted on the same occasion, this shall be given immediately before the anointing, omitting the sprinkling with its formulas and the *Confiteor* and absolution.

V. *Imposition of hands in episcopal consecration* (Const., art. 76)

69. All the Bishops present at an episcopal consecration and vested in choir dress may impose hands. The words *Accipe*

Spiritum Sanctum, however, shall be said only by the Bishop consecrator and by the two co-consecrating Bishops.

VI. *Rite oj matrimony* (Const., art. 78)

70. Matrimony, unless a just cause excuses from the celebration of Mass, shall be celebrated within Mass after the gospel and the homily. The latter is never to be omitted.

71. Whenever matrimony is celebrated within Mass, the votive Mass for the spouses shall always be celebrated or a commemoration made of it, according to the rubrics, even during the prohibited season.

72. As far as possible, the pastor himself or his delegate who assists at the marriage shall celebrate the Mass. If, however, another priest assists, the celebrant shall not continue the Mass until the rite of matrimony has been completed.

The priest who assists at the marriage but does not celebrate the Mass shall be vested in surplice and white stole and, according to the local custom, also in cope, and shall give the homily. The blessing after the Lord's Prayer and before the *Placeat,* however, is always to be imparted by the priest who celebrates the Mass.

73. The nuptial blessing shall always be imparted within the Mass, even in the prohibited season and even if one or both of the spouses are entering a second marriage.

74. In the celebration of matrimony without Mass:

a) at the beginning of the rite, according to the Apostolic Letter *Sacram Liturgiam,* η. V, a brief admonition shall be given. This is not a homily but only a simple instruction for the celebration of marriage (cf. Const., art. 35, 3). There shall be, however, a sermon or homily drawn from the sacred text (cf. Const., art. 52), after the reading of the epistle and gospel from the Mass for the spouses, so that the order of the whole rite shall be: brief admonition, reading of the epistle and gospel in the vernacular language, homily, celebration of marriage, nuptial blessing.

b) for the reading of the epistle and gospel from the Mass for the spouses, in the absence of a vernacular text approved by the competent territorial ecclesiastical authority, it is lawful, for the interim, to use a text approved by the local Ordinary.

c) there is no prohibition against having a chant between the epistle and gospel. Likewise the prayer of the faithful is highly recommended after the completion of the rite of matrimony, according to a formula approved by the local Ordinary, in which petitions for the spouses are also to be proclaimed.

t/) at the end of the rite the blessing shall always be imparted to the spouses, even in the prohibited season and even if one or both of the spouses are entering a second marriage, according to the formula which is found in the *Roman Ritual,* tit. VIII, cap. III, unless another blessing is given in particular rituals.

75. If marriage is celebrated during the prohibited season, the pastor shall advise the spouses to take into account the special character of this liturgical season.

VII. *Sacramentals* (Const., art. 79)

76. In the blessing of candles on 2 February and in the blessing of ashes at the beginning of Lent, a single prayer from among the prayers which are found in the *Roman Missal* for these blessings may be said.

77. Blessings which have been reserved up to the present time and which are contained in the *Roman Ritual,* tit. IX, cap. 9, 10, 11, may be given by any priest, with the exception of the blessing of a bell for the use of a blessed church or oratory (cap. 9, n. 11), the blessing of the cornerstone for the building of a church (cap. 9, n. 16), the blessing of a new church or public oratory (cap. 9, n. 17), the blessing of an *antimensium* (cap. 9, n. 21), the blessing of a new cemetery (cap. 9, n. 22), the papal blessings (cap. 10, n. 1-3), and the blessing and erection of the stations of the Way of the Cross (cap. 11, n. 1) precisely because this is reserved to the Bishop.

Chapter IV

THE DIVINE OFFICE

I. *The celebration of the divine Office by those bound to the obligation of choir* (Const., art. 95)

78. Until the restoration of the divine Office is completed:

o') communities of canons, monks, nuns, and other regulars or

religious bound to choir by law or constitutions must celebrate the entire divine Office daily in choir, in addition to the conventual Mass.

Individual members of these communities who are in major Orders or are solemnly professed, except for the *conversi,* even if they are lawfully dispensed from choir, must recite individually each day the canonical Hours which they do not celebrate in choir.

b) cathedral and collegiate Chapters, in addition to the conventual Mass, must celebrate those parts of the Office in choir which are imposed upon them by the common law or by particular law.

Individual members of these Chapters, in addition to the canonical Hours which all clerics in major Orders are bound to celebrate (cf. Const., art. 96 and 89), must recite individually those Hours which are celebrated by their Chapter.

c) in mission lands, however, while preserving the religious or capitular choral discipline established by law, religious or members of Chapters who are lawfully absent from choir by reason of the pastoral ministry may, with the permission of the local Ordinary but not of the Vicar General or delegate, enjoy the concession made in the Apostolic Letter *Sacram Liturgiam,* η. VI.

II. *Faculty of dispensing from or commuting the divine Office* (Const., art. 97)

79. The faculty conceded to all Ordinaries of dispensing their subjects, in individual cases and for a just cause, from the obligation of the divine Office in whole or in part or of commuting it, is also extended to major superiors of non-exempt clerical religious institutes and of societies of clerics who live in common without vows.

III. *Short Offices* (Const., art. 98)

80. No short Office is considered as drawn up after the pattern of the divine Office which does not consist of psalms, lessons, hymns, and prayers and which does not take into some account the hours of the day and the respective liturgical seasons.

81. In order to celebrate the public prayer of the Church, for

the interim those short Offices may be used which have been lawfully approved up to the present time, provided that they have been drawn up according to the requirements enumerated in n. 80.

New short Offices, however, must be approved by the Apostolic See in order that they may be used for the public prayer of the Church.

82. The translation of the text of a short Office into the vernacular language for use as the public prayer of the Church must be approved by the competent territorial eccelsiastical authority whose decrees have been approved, that is, confirmed, by the Apostolic See.

83. The competent authority for conceding the vernacular in the recitation of a short Office to those who are bound to this Office by the constitutions, or for dispensing from or commuting the obligation of recitation, is the Ordinary or the major superior of the respective subject.

IV. *Divine Office or short Offices celebrated in common by members oj institutes dedicated to acquiring perjection* (Const., art. 99)

84. The obligation of celebrating in common the divine Office or a short Office or parts of either imposed by their constitutions on members of institutes dedicated to acquiring perfection does not take away the faculty of omitting the Hour of Prime and of selecting from among the other minor Hours one that best suits the time of day (cf. Apostolic Letter *Sacram Liturgiam*, η. VI).

V. *The language to be used in the recitation oj the divine Office* (Const., art. 101)

85. In the celebration of the divine Office in choir, clerics are bound to retain the Latin language.

86. The faculty granted to the Ordinary of conceding the use of the vernacular language in individual cases to those clerics for whom the use of Latin constitutes a grave impediment to their praying the Office properly, is extended also to the major

superiors of non-exempt clerical religious institutes and of societies of clerics who live in common without vows.

87. The grave obstacle which is required for the grant of the preceding concession must be weighed by taking into consideration the physical, moral, intellectual, and spiritual condition of the petitioner.

Nevertheless, this faculty, which is granted solely to make the recitation of the divine Office easier and more devout, is in no way intended to detract from the obligation incumbent upon priests of the Latin rite to learn the Latin language.

88. The vernacular translation of the divine Office according to a rite other than the Roman rite shall be prepared and approved by the respective Ordinaries of that language, employing for elements common to both rites the translation approved by the territorial authority and then it is to be proposed for the confirmation of the Apostolic See.

89. Breviaries to be used by clerics to whom the use of the vernacular language in the celebration of the divine Office is conceded in accordance with art. 101, § 1, of the Constitution, should also contain the Latin text in addition to the vernacular translation.

Chapter V

THE PROPER CONSTRUCTION OF CHURCHES AND ALTARS IN ORDER TO FACILITATE THE ACTIVE PARTICIPATION OF THE FAITHFUL

I. *The arrangement of churches*

90. In the new construction, repair, or adaptation of churches great care shall be taken that they are suitable for the celebration of divine services according to the true nature of the services and for the procurement of the active participation of the faithful (cf. Const., art. 124).

II. *The main altar*

91. It is proper that the main altar be constructed separated from the wall so that one may go around it with ease and so that celebration may take place facing the people. Moreover, it shall occupy a place in the sacred building which is truly

central so that the attention of the whole congregation of the faithful is spontaneously turned to it.

In choosing the material for the construction or ornamentation of the altar, the prescriptions of law shall be observed.

Furthermore, the sanctuary area around the altar shall be of sufficient size that the sacred rites may be conveniently celebrated.

III. *The seat of the celebrant and ministers*

92. The seat for the celebrant and ministers, according to the structure of individual churches, shall be so placed that it may be easily seen by the faithful and that the celebrant may truly appear to preside over the entire community of the faithful.

Nevertheless, if the seat is placed behind the altar, the form of a throne is to be avoided precisely because this belongs to the Bishop alone.

IV. *Side altars*

93. The side altars shall be few in number. In fact, to the extent permitted by the structure of the building, it is highly appropriate that they be placed in chapels in some way separated from the principal part of the church.

V. *Ornamentation of altars*

94. The cross and candlesticks which are required on the altar for the individual liturgical services, may also, in accordance with the judgment of the local Ordinary, be placed next to it.

VI. *The reservation of the most holy Eucharist*

95. The most holy Eucharist shall be reserved in a solid and inviolable tabernacle placed in the middle of the main altar or of a side but truly outstanding altar, or, according to lawful customs and in particular cases to be approved by the local Ordinary, also in some other truly noble and properly adorned part of the church.

It is lawful to celebrate Mass facing the people even if there is a tabernacle, small but suitable, on the altar.

VII. *The ambo*

96. It is fitting that there be an ambo or ambos for the proclamation of the sacred readings, so arranged that the ministers can be easily seen and heard by the faithful.

VIII. *The place oj the schola and organ*

97. The places for the schola and the organ shall be so arranged that it will be clearly evident that the singers and the organist form a part of the assembled community of the faithful and that they may discharge their liturgical function more suitably.

IX. *The places oj the jaithjul*

98. The places for the faithful shall be arranged with particular care so that they may properly participate in the sacred celebrations visually and mentally. It is desirable that ordinarily pews or seats be provided for their use. On the other hand, the custom of reserving seats for certain private persons is to be reprobated in accordance with art. 32 of the Constitution.

Care shall also be taken that the faithful may not only be able to see the celebrant and the other ministers but may also be able to hear them easily through the use of present-day technical devices.

X. *Baptistery*

99. In the construction and ornamentation of the baptistery diligent care shall be taken that the dignity of the sacrament of baptism is clearly apparent and that the place is suitable for the community celebration of the sacrament (cf. Const., art. 27).

* * *

The present instruction, prepared at the command of Pope Paul VI, by the Commission for the Implementation of the Constitution on the Sacred Liturgy, was presented to His Holiness by James Cardinal Lercaro, president of the said Commission.

The Holy Father, after having given due consideration to this instruction, with the help of the above-mentioned Commission and of this Sacred Congregation of Rites, in an audience granted to Arcadio Maria Cardinal Larraona, prefect of the Sacred Congregation of Rites, on 26 September, 1964, approved it in a special way as a whole and in its parts, confirmed it by his authority, and ordered it to be made part of public law, and to be observed diligently by all whom it concerns, beginning with the first Sunday of Lent, 7 March, 1965.

All things to the contrary notwithstanding.

AAS 56–877; S. C. Rit., 26 Sept., 1964. Annotations in *La Maison-Dieu,* n. 80 (1964)–45–125 (Jouncl).

Note: On 27 Jan., 1965, the S. C. Rit. issued a revised *Ordo Missae* and *Ritus Servandus in Celebratione Missae* which incorporated the changes set down in the above instruction but also introduced some additional changes.

Uniform Vernacular Translations of Liturgical Texts (Cone. Com. Lit., 16 Oct., 1964) Private.

Cardinal Lercaro, President of the Conciliar Commission for Implementing the Constitution on the Liturgy, sent a form letter dated 16 October, 1964, to all the Presidents of Bishops' Conferences in countries where the people use the same language, urging uniformity of the translations to the common vernacular language in all the countries of the group. The letter was published in Latin in the *Notitiae* (Vatican Press) of July-August, 1965. A complete French version, from which our translation is taken, appears in *Documentation Catholique,* 62 (1965)–1595.

Official Preliminary Remarks oj the Commission. The mind of the Commission is that there should be only one liturgical text for each language, so as to facilitate the participation of the faithful in the sacred rites.

Some Bishops' Conferences applied this principle at once; others, being unable at the moment to act in unison, decided to do so when the general reform of the liturgy is completed. In the meantime the various national Conferences have formed mixed commissions to prepare a single translation in the vernacular, suitable to the needs and mentality of the various peoples.

Needless to say, the languages mentioned in this letter are not the only ones in which the need exists. There are other languages which should do the same thing. These norms are made public at this time in order that they may be adapted and applied to all cases.

Text oj the Letter. Your Excellency:

In confirming the decisions made in liturgical matters by many Bishops' Conferences, the Commission for the application

of the Constitution on the Liturgy has often called attention to a particular difficulty, sometimes a serious one, arising from the fact that the Constitution allows a large place in the liturgy to the vernacular language. At the very time when the century-old unity of the liturgical language is on the decline, when various popular languages are beginning to be used along with the Latin, we must be on our guard that the spiritual and pastoral effectiveness of the liturgy be not endangered. The transition to the new order must be progressive and prudent.

Hence the Commission desires in this connection to make known its mind on the question of popular translations in countries which have a common language. It is the mind of the Commission that in these countries unity be maintained in the liturgical texts which are to be pronounced in the vernacular. It does seem inadvisable to multiply translations, texts and editions for one and the same language, especially the more important ones, such as English, French, German, Spanish, and so on. It is certain that this would impair the gravity of the text itself and the dignity of the liturgical books. I communicate this wish of the Commission to Your Excellency, trusting that you will make it known to the President of the Liturgical Commission created by the Episcopal Conference in your country, to the end that a consultation — held by competent persons and in the most appropriate manner — may be instituted with the interested Episcopal Conferences, a procedure which has already been commendably used in some instances.

The Commission will be grateful if Your Excellency will as soon as possible notify its secretariate of the action which has been taken in response to this suggestion, indicating the difficulties that have been encountered, so that we may eventually help to solve them.

With best wishes, . . .

Card. Lercaro, President

(Private); Cone. Com. Lit., 16 Oct., IQM. *Documentation Catholique,* 62 (1965)–1595.

Note: The desired uniformity in liturgical texts of the same vernacular language has existed from the start in French-speaking countries, but it is not yet realized in the countries where English, German, or Spanish is the common language. An article by Archbishop Paul J. Hallinan of Atlanta, in *America,* 28 Aug., 1965, describes in detail the steps taken since 1962 which have already led to the creation of an International Episcopal Committee for Liturgical English. This Committee is working in conjunction with the Episcopal Conferences of various English-speaking nations (England, the United States, Canada, Australia, Ireland, Scotland, New Zealand, South Africa, parts of India and Pakistan) to produce a truly worthy, uniform English translation of the liturgical texts. Archbishop Hallinan states that there are roughly 60,000,000 English-speaking Catholics in various parts of the world, of whom 44,874,000 are Americans.

The letter of Cardinal Lercaro reported above was mentioned with hearty approval by Paul VI in an allocution of 10 November, 1965, reported below under this same canon (AAS 57-967).

Basque, a Liturgical Language in Diocese of Bayonne (Conciliar Commission, 10-18 Nov., 1964) Private.

At the request of His Excellency John Paul Vincent, Bishop of Bayonne, with the consent of the Assembly of the Bishops of France, in virtue of the faculties granted to this Commission by the Sovereign Pontiff Paul VI, we heartily approve and confirm the decisions of His Excellency, namely:

I. In the Diocese of Bayonne the readings in the Mass on Sundays and feast days may be made in the Basque language for an assembly of the faithful of that tongue.

II. The text to be used for these readings is the one contained in the book entitled *Irakurgaiak,* published in 1964 by the Benedictine monks of the Abbey of Belloc and approved by the Ordinary of Bayonne.

TH. In liturgical actions it is permitted to use, for singing the psalms, the text entitled *Salmoak,* published in Basque in 1963 by the Benedictine monks of the Abbey of Belloc and approved by the Ordinary of Bayonne.

Vatican City, 10-18 Nov., 1964.

James Cardinal Lercaro
President

(Private); Conciliar Commission for Implementing the Constitution on the Liturgy, 10–18 Nov., 1964; reported in *La Documentation Catholique,* 62 (1965)–182.

Chants for the Roman Missal and for Concélébration (S. C. Rit., 14 Dec., 1964) AAS 57-408.

This decree is entitled: The Chants which are wanting in the Roman Missal are published, in accordance with the Instruction for Implementing the Constitution on the Sacred Liturgy and for the rite of Concélébration. The text is as follows:

After the publication of the Instruction for the Proper Implementation of the Constitution on the Sacred Liturgy, it appeared that certain necessary and appropriate chants should be inserted in the Roman Missal in order to carry out the directives of that Instruction and also for the rite of Concélébration.

Wherefore the Commission for Implementing the said Constitution has very carefully prepared this collection of melodies, which may be used by way of trial. And this Sacred Congregation of Rites, using the faculties granted to it by His Holiness Pope Paul VI, has approved, declared authentic, and permitted for use by way of trial, this collection of the Gregorian chants which are needed in the Roman Missal according to the Instruction for Implementing the said Constitution and for the rite of Concélébration, as per the attached copy.

All things to the contrary notwithstanding.

December 14, 1964.

AAS 57-408; S. C. Rit., Decree, 14 Dec., 1964.

The *Kyriale:* New Edition (S. C. Rit., 14 Dec., 1964) AAS 57-407.

As the Constitution on the Sacred Liturgy decreed (art. 117) that a new edition of the books containing the simpler forms of Gregorian chant be prepared, the Commission for Implementing the Constitution has very carefully composed the latest edition of the melodies for the Ordinary of the Mass.

And this Sacred Congregation of Rites, using the faculties granted to it by His Holiness Pope Paul VI, has approved and declared authentic and prescribed for use the present collection of Gregorian melodies for the Ordinary of the Mass, duly revised as presented in the attached copy.

All things to the contrary notwithstanding.

December 14, 1964.

AAS 57-407; S. C. Rit., decree, 14 Dec., 1964.

Saturday After III Sunday of Lent: Substituted Reading for Epistle (Cone. Com. Lit.,) Private.

Some Bishops have petitioned the Commission asking that on the Saturday after the Third Sunday of Lent the text of the epistle which relates the story of Susanna, may be changed for some other text.

Reply. After carefully considering the matter and conferring with the Sacred Congregation of Rites, it has been decided that, in the meantime, that is, until the new order of the readings of the Mass is definitely established, the epistle for the Saturday after the Third Sunday of Lent may be changed to the reading from Ephesians, 6, 10-17, which now occurs as the epistle for the 21st Sunday after Pentecost, and which accords very well with the season of Lent.

(Private); Cone. Com. Lit. Reported without date in *Ephemerides Liturgicac,* 79 (1965)–165 and in *Commentarium pro Religiosis,* 44 (1965)-29S.

New Editions of the *Ordo Missae, Ritus Servandus* and *De Dejectibus* (S. C. Rit., Decree, 27 Jan., 1965) .AAS 57-408.

A decree of the Sacred Congregation of Rites:

The recent Instruction for Implementing the Constitution on the Liturgy introduced many changes, not all of equal importance, especially in the celebration of Mass. It was therefore judged necessary to make a new revision, corresponding to the directives of the said Instruction, for the Order of the Mass and for the treatises which are contained in the Roman Missal under the titles, *"Ritus in celebratione Missae servandus"* and *"De Dejectibus in Missae celebratione occurrentibus."*

Accordingly, the Commission for Implementing the Constitution on the Sacred Liturgy, bearing in mind the general plan for the restoration of the Mass, has carefully composed this new revision, which this Sacred Congregation of Rites, using the faculties granted to it by His Holiness Pope Paul VI, has approved and declared to be the typical edition, ordering that it be published and inserted in the new editions of the Roman

Missal, so that the norms contained in it be faithfully observed.
All things to the contrary notwithstanding.
January 27, 1965.

AAS 57-408; S. C. Rit., Decree, 27 Jan., 1965.

Inordinate Innovations in the Liturgy (President of Cone. Com. Lit., 1 March 1965) Private.

Cardinal Lercaro, President of the Conciliar Commission for Implementing the Constitution on the Liturgy, in a lecture to his clergy in Bologna, 1 March, 1965, on "Some reactions which impede the progress of the Liturgy," spoke in part as follows:

Let us now speak of another kind of reaction . . . which concerns the reform of the Liturgy as a whole and even the liturgical activity of the Church. At first sight this reaction seems to be positive, for it accepts the reforms that have been made, or applies itself to further study. Nevertheless we judge it to be negative. because it tends to "o too far. to simulant the authority

Church, substituting for it interpretations coming from private individuals or groups, is erected into a theory by trying to justify it on doctrinal grounds.

(Private); Cardinal Lercaro, President of the Cone. Com. Lit., 1 March, 1965; *Documentation Catholique,* 62 (1965)–610.

Concélébration and Connnunion Under Both Species (S. C. Rit., General Decree, 7 March, 1965) AAS 57-410.

In arranging and restoring the celebration of the sacred mysteries, the Church has always taken care that the inexhaustible treasures of Christ, which the rites themselves contain and communicate to well-disposed persons, be also manifested by those same rites, so as more easily to permeate the souls and life of those who take part in them.

This is especially the aim of the Church in regard to the celebration of the Eucharist. She prepares and disposes its various forms in such a way that they present and impress upon the faithful the various aspects of the eucharistie sacrifice.

For in whatever form the Mass is celebrated, even though it be simple, all the elements and properties which necessarily belong to the hoty Sacrifice of the Mass by its very nature are present.

The first of these is the unity of the Sacrifice of the Cross, in as much as many Masses represent only the one Sacrifice of Christ and draw their character of sacrifice from the fact that they are a memorial of the bloody immolation on the cross, the fruits of which are received through this unbloody immolation.

Secondly there is the unity of the priesthood, for although there are many priests who celebrate Mass, each one of them is but a minister of Christ, who exercises His own priesthood through them, and to this end makes them share in it in a very special manner through the sacrament of Order. Consequently, even when each one offers the Sacrifice, all of them do so in virtue of the same priesthood and are acting in the name of the Supreme High Priest, who is free to consecrate his Body and Blood either through one priest or through many together.[2]

1 Cf. Council of Trent, Sess. XXII, cap. 1.
2 Cf. St. Thomas, III, 82, a. 3, ad 2 and ad 3.

Finally, the unity of action of the entire people of God appears more clearly. For every Mass, as the celebration of that sacrament by which the Church constantly lives and grows,[3] and in which the genuine nature of the Church is especially manifested,[4] is, even more than all other liturgical actions,[5] the action of the entire holy people of God, hierarchically organized and acting.

This threefold prerogative which belongs to every Mass is, as it were, set before our eyes in a special way in the rite in which many priests concelebrate the same Mass.

For in this way of celebrating Mass, many priests, in virtue of the same priesthood and in the person of the Supreme High Priest, act together, with one will and one voice, and perform and offer together one sacrifice by a single sacramental act, and participate in it together.

Consequently, in this form of celebration of the Sacrifice, in which the faithful also take part together consciously, actively and as a community, especially if the Bishop presides over it, there is realized the principal manifestation of the Church[6] in the unity of Sacrifice and Priesthood, in a single act of thanksgiving, around one altar with the ministers and the holy people.

In this way surely, through the rite of concélébration, very important truths concerning the spiritual and pastoral life of priests and the Christian formation of the faithful, are visibly presented and inculcated.

For these reasons, far more than for others of a merely practical nature, the concélébration of the eucharistie mystery, in various ways and forms, is found in the Church from antiquity and, evolving in different ways both in the East and in the West, it has remained in use up to the present time.

As a result of these considerations, experts in the liturgy have studied the matter and have presented opinions in favor of extending the faculty to concelebrate the Mass and of restoring this rite in a more appropriate form.

Finally, the Second Vatican Council, after carefully considering the matter, extended the faculty of concélébration to several cases and decreed that a new rite for concélébration be prepared

3 Cf. Vatican Council II, *Const, de Ecclesia,* art. 26.
4 *Ibid* , art 2 and 41.
5 Cf. Vatican Council II, *Const, on the Liturgy,* art. 26.
u Cf. Vatican Council II, *Const, on the Liturgy,* art. 41.

and inserted in the Roman Pontifical and Roman Missal.7 His Holiness Pope Paul VI, after solemnly approving and promulgating the Constitution of the Second Vatican Council on the Liturgy, ordered the Commission for implementing the said Constitution to prepare as soon as possible the rite to be observed in the concélébration of Mass. This rite, after having been several times examined and improved by the consultors and members, was unanimously approved by the Commission on the 19th of June, 1964, and it was decided that, if His Holiness agreed, it should, before being definitely approved, be tested by various experiments in different parts of the world under various circumstances.

Likewise according to the wish of the Sacred Council, this Commission for Implementing the Constitution on the Liturgy composed a rite for Communion under both kinds, in which are stated the cases and the forms in which clerics, religious, and lay persons are permitted to receive Communion under both species.

Accordingly for several months many experiments with the rite of concélébration and the rite of Communion under both kinds were conducted in all parts of the world with very good results, and reports upon them were sent to the Secretariate of the Commission, together with remarks and recommendations. When these had been considered, both rites were given a final touch of revision and were presented to His Holiness by His Eminence James Cardinal Lercaro, President of the Commission.

The Holy Father, after having duly considered both of the rites, with the aid of the said Commission and of the Sacred Congregation of Rites, in the Audience granted on 4 March, 1965, to His Eminence Cardinal Larraona, Prefect of the said Congregation, gave his special approval to both rites in every respect, confirmed them by his authority and ordered that they be published, to be faithfully observed by all, from Holy Thursday, the 15th of April, 1965, and that they be accurately inserted in the Roman Pontifical and Roman Missal.

All things to the contrary notwithstanding; 7 March, 1965.

AAS 57-410; S. C. Rit., General Decree, 7 March, 1965. Commentary, *Periodica,* 54 (1965)–89–140; 352-405; 517-582 (Gordon); *Periodica,* 54 (1965)-406-460; 55 (1966)–133–152 (Buijs). Also, *Documentation Catho-*

7 Vatican Council II, *Const, on the Liturgy,* art. 57 and 58.

liqtie, 62 (1965) -715-722 (presentation by Bugnini, Secretary of the Cone. Com. Lit.

Changes in the Order of Holy Week (S. C. Rit., Decree. 7 March, 1965) AAS 57-412.

Very many Bishops have petitioned the Holy See for the faculty to concelebrate the Mass of the Chrism on the coming Holy Thursday. In this way, from the fact that priests from various parts of the diocese are gathered around their Bishop and concelebrating with him in both the Eucharist and the blessing of the holy oils, light is appropriately thrown both on the unity of the priests with the Bishop and on the importance of the Bishop himself in the liturgical life of the diocese, since he must be regarded as "the high priest of the flock from whom the life of the faithful in Christ is in a certain sense derived and on whom it depends." *{Constitution on the Liturgy,* art. 41).

And since the Constitution on the Liturgy (art. 57, 1° σ) provides that, when the rite of concélébration shall have been approved, every Bishop shall have the faculty to concelebrate the Mass of the Chrism, it has seemed appropriate both to revise to some extent the text of the Mass, so that it may better correspond to the purpose of the Mass, and to simplify the rite for the blessing of the Oils before it is definitely fixed, together with the eventual revision of the whole Roman Pontifical, so that it may f.t more appropriately into the celebration of this day and so that participation by the faithful may be made easier.

Moreover, in order to take advantage of the occasion of making some changes in the order of Holy Week, it has seemed appropriate also to revise one or two expressions which occur in the solemn orations of Good Friday, so that they may be more in accord with the spirit and decrees of the Second Vatican Council in regard to ecumenism.

Wherefore, by order of the Supreme Pontiff, the Commission for the Implementation of the Constitution on the Liturgy has carefully considered and prepared the aforesaid changes to be made in the Order of Holy Week; and this Sacred Congregation, with the approval of the Supreme Pontiff, has decreed that these changes be published, to be exactly observed by all, beginning from Holy Week of the present year.

All things to the contrary notwithstanding; 7 March, 1965.

AAS 57–412; S. C. Rit., Decree, 7 March, 1965.

Gospel of the Passion May Be Read by Persons Not Ordained Deacons (S. C. Rit. 25 March, 1965) AAS 57-413.

Many local Ordinaries have asked the Apostolic See that, in view of the difficulty of having three deacons or three priests to read the Gospel of the Passion and Death of the Lord according to articles 50 and 51 of the Instruction of 26 September. 1964, it be permitted in case of necessity to use for this purpose three lectors or competent ministers.

This Sacred Congregation, making use of faculties granted to it by His Holiness Pope Paul VI, permits that, when one, two. or even three deacons or priests are unavailable, the Gospel of the Passion and Death of the Lord may be said by other clerics or lay persons, but wearing liturgical dress.

All things to the contrary notwithstanding; 25 March, 1965.

AAS 57-413; S. C. Rit., 25 March, 1965.

Concélébration at Funeral Masses (Cone. Com. Lit., May, 1965) Private.

Question: Is it proper to have concélébration on the occasion of funerals, instead of a number of individual Masses such as are often celebrated during the funeral Mass?

Reply: In the affirmative.

(Private); Cone. Com. Lit.; reply published in the *Notitiae,* n. 5, May, 1965.

Note: As to the force of these replies, the *Notitiae* declare: The replies that are given have no official character but serve merely for orientation; replies will be published officially in the *Acta Apostolicae Sedis* according to need.

Position of Missal and Chalice at Postcommunion (Cone. Com. Lit., May, 1965) Private.

Question: Whether the words of the ***Ritus*** *servandus,* η. 84, *"Deinde celebrans, stans in medio et habens apud se librum . . "*

and η. 85, . *stans in medio altaris ante librum dicit* . . are to be interpreted in the sense that the Missal must be placed in the middle of the altar?

Reply: For reading the antiphon at Communion and the Postcommunion, the Missal can either remain at the left where it was during the Canon, or it can be placed in the middle and the chalice removed, whichever is more convenient for the celebrant.

(Private); Cone. Com. Lit.; reply published in the *Notitiae,* n. 5, May, 196S. As to the force of such replies, see Note after the immediately preceding document.

Sacred Ministers Functioning at Concélébration Twice in a Day May Receive Communion Twice on the Same Day (Cone. Com. Lit., May, 1965) Private.

Question: Whether sacred ministers who perform their function in concelebrated Masses twice on the same day may also receive Communion under both species twice on the same day.

Reply: In the affirmative.

(Private); Cone. Com. Lit.; reply published in the *Notitiae,* n. 5, May, 1965.

Note: This is based on the text of the *Ritus servandus in concelebratione Missae,* η. 15, which states that a priest acting as deacon, assistant deacon, or subdeacon at a concelebrated Mass should not concelebrate at that Mass but may receive Communion under both species even though he has already celebrated or intends to celebrate Mass on that same day.

Vernacular Translations for Proper Masses and Offices of Particular Dioceses and Religious Institutes (Cone. Com. Lit., 2 June, 1965) Private.

Now that the vernacular translations of the Roman Missal and Breviary for various nations have been confirmed according to the texts that were approved by the Conference of Bishops, it remains to propose to the Apostolic See for confirmation also the vernacular translations for particular dioceses or religious families.

But since this Commission is frequently asked how to proceed in making such requests, it seems appropriate to present the following norms:

1. The use of the vernacular in the *Propria* of dioceses and religious families is subject to the limits lawfully defined for each nation by the respective Bishops' Conference and approved or confirmed by the Holy See *{Const.,* art. 36, §3).

2. The vernacular translation of the *Proprium* of a diocese or religious family is to be prepared and approved in accordance with what is said in n. 88 of the Instruction of 26 September. 1964? "by the respective Ordinaries of that same language." Hence:

o) in the case of diocesan *Propria,* by the Bishop or Bishops concerned;

b) in the case of *Propria* for a religious family, by the Major Superiors of regions of the same language.

3. In composing the vernacular translation the directions given in n. 40 of the said Instruction should be followed, making due allowance for various cases.

4. In order that uniformity may, as far as possible, be maintained in the liturgical texts of each nation:

o) those parts of the *Proprium* which are found in texts already translated into the vernacular, approved by the Episcopal Conference, and confirmed by the Holy See, are to be taken from those texts. Thus, for example, the parts which are derived from the *Common* or *Proprium* of the Breviary or Missal, are to be presented in the same vernacular translation which is already approved for the whole country; the lessons too, if the Bishops' Conference has approved some popular version of Sacred Scripture for liturgical use, are to be taken from that version: certain formulas of the Ritual which occur in a text approved by the Bishops' Conference should be taken from that text: and so on:

Z>) likewise parts which may be common to several dioceses or religious families should be composed in common cooperation by all of them, observing the above directions.

5. Texts which are proper for only a single church are to be approved by the proper Ordinary.

6. Meanwhile, that is, until a more perfect vernacular translation is made, texts that are already in use among the faithful may be taken; but for use in the liturgy they require approval or confirmation by the Holy See.

7. In order to obtain confirmation the texts must be sent in

1 Reported above, p. 73.

duplicate copies, by the Bishop for the *Proprium* of a diocese, or by the Superior General for the *Proprium* of a religious family, to "the Commission for Implementing the Constitution on the Sacred Liturgy," together with a brief account of the criteria which were used in making the translation (cf. the Instruction, nn. 29 and 30).

8. The texts may be published and put to use only after they have been approved or confirmed by the Apostolic See.

In sending texts for confirmation, the following points should be noted:

1. The quotations from Sacred Scripture should be exact and complete.

2. The terminology used should be that which is established by the rubrics, either recently (e.g., super oblata) *or traditionally (e.g.,* graduale, *and not* cantus meditationis).

3. The texts should be faithfully rendered, although done according to the criteria mentioned in n. 40 of the Instruction.

4. For confirmation, two copies of the vernacular translation should be sent to the "Commission" together with the Latin text.

5. Together with the texts there should be sent a report according to n. 30 of the Instruction.

6. The texts of Propria of religious families should be sent to the "Commission" through the Procurator General of the Order or Congregation.

(Private); Cone. Com. Lit., 2 June, 1965. Reported in *Notitiae,* 1 (1965) – 197–198; also in *Commentarium pro Religiosis,* 44 (1965)-298-300.

Unauthorized Experiments in the Liturgy (Cone. Com. Lit., 1965) Private.

The Conciliar Commission for Implementing the Constitution on the Liturgy issued the following:

Here and there one hears of certain initiatives which go beyond existing rubrics and the Constitution and Instruction on the Liturgy. The authors of these innovations usually assert that they have received permission or an induit from the Commission to make these experiments.

The Commission declares that, with the exception of the induits granted between 3 July, 1964 and 15 April, 1965, for concélébration and Communion under both kinds, no general

induit of any sort has been given with a view to trying experiments.

For that matter, it is needless to say that such a faculty is given by the Holy See only to the competent ecclesiastical authority according to article 40, § 2 of the Constitution, and that these experiments are allowed only: a) to certain groups; b) that are qualified for such action; and c) for a limited time.

Consequently, if at any future time the Commission gives permission for experiments, the permission will always be communicated to the competent territorial ecclesiastical authority, and in writing, with an indication of the conditions and limits of such experiments.

Therefore, when rites or ceremonies or initiatives of any kind appear to be out of harmony with the liturgical laws actually in effect, they must be regarded as ' personal" initiatives introduced by persons "on their own authority" (Constitution, article 22 § 3), and therefore reprobated by the Constitution and by the Commission.

(Private) ; Cone. Com. Lit., 1965.

Note: This declaration, published originally in French by the Commission itself, bears no date, but it appeared in *Documentation Catholique* of 4 July, 1965, Vol. 62 (1965)—1179 with the notation that it was to be published also in n. 6 of *Notitiae*. *Notitiae* published the declaration in Latin in 1 i 1965)—145.

Secular Institutes: Communion under Both Kinds on Day of Profession (S. C. Rit., 8 July, 1965) Private.

The S. C. of Rites was asked:

Question: Whether Holy Communion may be given under both kinds also to members of Secular Institutes on the dav of their profession, as the new law allows for the professed in the Mass of their religious profession, provided the profession is made in the Mass.

Reply: The S. C. of Rites, after carefully considering the question, replied: In the affirmative, provided the profession is made in the Mass.

His Holiness Paul VI in the Audience of 8 July, 1965, approved and confirmed this reply.

8 July, 1965.

(Private) ; S. C. Rit., 8 July, 1965. *Notitiae, 2* (1966)-132.

Dispensation From Reciting Prime (Cone. Com. Lit., 22 Aug., 1965) **Private.**

The Minister General of the Third Order Regular of Saint Francis asked for the faculty to dispense members of his Institute from the obligation of reciting the Hour of Prime in choir or out of choir, so that the Order, although bound to choir duty, shall no longer be obliged to recite this Hour of the Divine Office.

Reply. In virtue of faculties granted to this Conciliar Commission for the Implementation of the Constitution on the Sacred Liturgy by His Holiness Pope Paul VI, the faculty is granted as requested.

All things to the contrary notwithstanding.

(Private) ; Cone. Com. Lit., 22 Aug., 1965, Prot. N. 3443/65. Reported in *Commentarium pro Religiosis,* 44 (1965)–297, from *Analecta Tertii Ordinis Regularis S. Francisci,* 10 (1965)-329.

Note: Several other religious Orders have obtained similar induits. A list of these Orders is reported in *Notitiae,* 1 (1965)-272.

Funeral Mass the Evening Before (S. C. Rit., 15 Oct., 1965). **Private.**

The Sacred Congregation of Rites was asked:

Whether, in funeral services the evening before a liturgical day on which a funeral Mass is forbidden, that same Mass may be said, but without singing.

Reply: The S. C. of Rites, after hearing from the Liturgical Commission and carefully considering the question, replied: In the *affirmative.* 15 October, 1965.

(Private) ; S. C. Rit., 15 Oct., 1965. *Notitiae,* 2 (1966)-181.

Conventual Mass and Other Questions (S. C. Rit., 8 Nov., 1965) **Private.**

The following questions were asked of the S. C. of Rites by the Abbot Ordinary of Saint Paul's in Rome.

1. Whether, in the canonical hour which immediately precedes the conventual Mass, and likewise at the end of Vespers, if the exposition and benediction with the Blessed Sacrament immediately follows, the Versicle *"Fidelium animae"* is to be omitted.

Reply: In the negative.

2. Whether, the prescription of n. 22 of the *Ritus servandus in celebratione Missae,* saying that the prayers at the foot of the altar should be omitted when another liturgical action has immediately preceded, applies only to liturgical actions at which the priest who is to celebrate the Mass has presided, or is it to be understood more broadly so as to apply also where the priest who is to celebrate the Mass did not preside at the previous liturgical action or was not even present at it; for example, in a conventual Mass to be celebrated after Terce.

Reply: In the negative to the first part, in the affirmative to the second.

3. Since the proper choral garment for the monks of the Order of Saint Benedict is the *cuculla,* the question is: May the priests who attend a conventual Mass assist the celebrant in distributing Holy Communion, wearing a stole simply over the *cuculla* without putting on a surplice, following the old monastic rite which is still observed in distributing the olive branches and the candles on their respective feast days.

Reply: In the negative.

4. Whether, on one or other of the ferial davs on which the minor Litanies are celebrated, if the procession is omitted, the Litany of the Saints with its versicles and prayers are to be said in choir without the procession or rather should be entirely omitted even in choir.

Reply: According to n. S3 of the Rubrical Code (RBMR) the local Ordinary should establish special religious gatherings in which the Litany of the Saints are to be said.

These four replies were all prefaced with the declaration: The Sacred Congregation of Rites, after hearing the opinion of the Liturgical Commission and carefully considering the matter, decided to reply to the questions proposed. . . .

(Private); S. C. Rit., 8 Nov., 1965. *Notitiae, 2* (1966)-182-1S3.

Dignity and Uniformity of Vernacular Texts for the Liturgy (Paul VI, Allocution, 10 Nov., 1965) AAS 57-967.

In an allocution of 10 November, 1965, spoken by Paul VI to a gathering of experts engaged in the translation of liturgical

texts into the vernacular, the following passages, which we translate verbatim, are worthy of special notice.

"Although the language in common use, which is now permitted in the Sacred Liturgy, should be intelligible to all, even to children and people of little education, still, as you know very well, it must be worthy of the exalted message which it conveys, different from the daily talk one hears in the streets and market places; it must be such as to stir the affections and kindle the love of God in the heart."

"If the beauty and richness of the Roman tongue, which was used for centuries in the Latin Church for prayers of petition, praise, and thanksgiving to God, have been partly sacrificed for pastoral reasons, it is right that, through your skilful and assiduous work, the translations of liturgical texts should show a similar elegance of speech and dignity of expression."

His Holiness then refers to the letter of Cardinal Lercaro of 16 October. 1964[1] and recalls with approval the norm which that letter established, namely, that "in bringing the vernacular into the Liturgy, the change should be made gradually and with discretion and, especially in countries where the same language is in common use, uniformity should be preserved in the liturgical texts, so that a multiplicity of versions, which would impair their seriousness and dignity, be avoided."

"Finally it must be said that liturgical texts which have been approved by competent authority and confirmed by the Holy See, are matters that demand exact observance. No one may arbitrarily change, curtail, amplify, or omit them. Although in liturgical matters the Church shows herself a benign and indulgent Mother, so that her children may take part in the liturgy 'actively, consciously and with devotion,' still, what has been legitimately established has the force of ecclesiastical law which all are in conscience bound to obey; the more so as there is question here of laws which concern the most sacred of all actions."

AAS 57-967; Paul VI, Allocution, 10 Nov., 1965.

[1] Reported above, p. 99.

Use of Vernacular in Divine Office and Conventual or Community Mass of Religious (S. C. Rit., Instruction, 23 Nov., 1965) AAS 57-1010.

In decreeing the norms concerning the language to be used in celebrating the divine Office in choir, in common, or *a solo,* the Second Vatican Council had in mind both to safeguard the century-old tradition of the Latin Church and to promote the spiritual good of those who are deputed for this prayer or who take part in it. Hence it decided to allow the use of the vernacular under certain circumstances to definitely specified classes of persons.

Afterward the Apostolic See received a number of petitions asking that the norms of the Council in this matter be more clearly defined, and that the use of the vernacular be allowed also to clerics in the celebration of the divine Office in choir, because of special conditions, either local or connected with the pastoral work entrusted to certain communities.

These petitions have received careful consideration, and in order to establish appropriate uniformity and to offer a well-defined norm the Sacred Congregation of Rites, the Sacred Congregation of Religious, and the Commission for Implementing the Constitution on the Liturgy, have by common consent established the following regulations:

I. *Clerical Religious Institutes Who Are Bound to Choir.*

1. Clerical Institutes "bound to choir" are obliged to celebrate the divine Office in Latin, according to art. 101, 1 of the Constitution on the Liturgy and n. 85 of the Instruction of 26 September 1964 for the implementing of the said Constitution.[1]

2. Special provision will be made so that monasteries in mission countries, whose members are mostly native, may use the vernacular according to the mind of art. 40 of the Constitution.

3. The competent authority for granting the faculty mentioned in the preceding number is the Sacred Congregation of Religious.

II. *Clerical Religious Institutes Who Arc Not Bound to Choir.*

4. Clerical religious communities who are not bound to choir may recite in common in the vernacular those parts of the divine

[1] Both these documents arc reported above at pp. 32 and 73 respectively.

Office in which the lay religious also are obliged by the Constitutions to take part.

5. The right to decree the use of the vernacular in the parts of the divine Office mentioned in the preceding number belongs to the General Chapter or, after hearing beforehand the preference of the members, to the General Council of the Institute.

6. But such a decree, if it changes the prescriptions of the Constitutions, must be approved by the Sacred Congregation of Religious for pontifical Institutes, or by the local Ordinaries for those of diocesan right (cf. c. 495, § 2).

III. *Clerical Religions Communities Which Are Engaged in Pastoral Ministries in a Parish, a Sanctuary, or a Church with a very Large Attendance.*

7. Clerical religious communities, even those bound to choir, if they are engaged in the service of a parish, a sanctuary, or a very-much-frequented church, may perform in the vernacular those parts of the divine Office which for pastoral reasons they celebrate with the people.

8. The decision as to granting this faculty pertains:

a) to the local Ordinary, with the consent of the Major religious Superior and the approval of the Sacred Congregation of Religious for a community that is bound to choir:

b) to the local Ordinary, with the consent of the Major religious Superior, for a community that is not bound to choir.

IV. *Monastic Nuns.*

9. Nuns also can obtain the faculty of celebrating the divine Office in the vernacular, even in choir.

But in monasteries where according to their own tradition the divine Office is celebrated solemnly and the Gregorian chant is used, the Latin language should be retained as far as possible

10 Special provision will be made so that monasteries in mission countries, whose members are mostly native, may use the vernacular.

11. Where the Latin language is retained in the choral celebration of the divine Office, the lessons may nevertheless be read in the vernacular.

12. The competent authority for granting the use of the vernacular to Nuns in the choral recitation of the divine Office

is the Sacred Congregation of Religious. The petition should be made by the Chapter of the monastery with the consent of the local Ordinary, or of the religious Superior if the monastery is under the jurisdiction of the Order.

13. Nuns who are not present at the choral recitation may use the vernacular in the recitation of the divine Office *a solo.*

V. *Lay Religious Institutes.*

14. For lay communities of Institutes of the states of perfection, of either men or women, the competent Superior can grant the faculty, in accordance with art. 101, § 2 of the Constitution on the Liturgy, to use the vernacular in celebrating the divine Office even in choir.

15. The competent Superior is the General Chapter of the Institute, or, after duly consulting the members of the Institute, the General Council.

16. But such a decree, if it changes the prescriptions of the Constitutions, must be approved by the Sacred Congregation of Religious for pontifical Institutes, or by the local Ordinaries for those of diocesan right (cf. c. 495, § 2).

VI. *The Language to Be Used, in the "Conventual" Mass.*

17. In celebrating the "conventual" Mass, clerical religious Institutes that are bound to choir:

o) are obliged to retain the Latin language in the same manner as is provided above for the divine Office (nn. 1-2); but the lessons may be pronounced in the vernacular;

b) may use the vernacular, within the limits prescribed by the competent territorial authority, when the religious community is assigned to the pastoral ministry of some parish, or sanctuary, or of a church which is very largely attended and where the "conventual" Mass is celebrated for the convenience of the faithful.

18. Nuns, according to the provisions made for them as regards the celebration of the divine Office in choir (nn. 9-11), must either retain the Latin language, or may use the vernacular within the limits prescribed by the competent territorial authority.

VII. *The Language to Be Used in the Celebration of a "Community" Mass in Clerical Religious Institutes Not Bound to Choir and in Lay Religious Institutes of Men or Women.*

19. Clerical religious Institutes that are not bound to choir, in celebrating the "community" Mass, may, besides the Latin, use also the vernacular within the limits prescribed by the competent territorial authority, sometimes (for example two or three times) during the week.

20. The so-called "community" Mass for lay Communities of Institutes of the states of perfection either of men or of women, may be habitually celebrated in the vernacular, within the limits prescribed by the competent territorial authority.

It should be provided, however, that the members of these Institutes be able to say or to sing also in Latin the parts of the Ordinary or Proper which are for them (cf. Const, art. 54).

The Supreme Pontiff, in the Audience granted on 23 November 1965 to His Eminence Cardinal Arcadio M. Larraona, Prefect of the Sacred Congregation of Rites, willingly approved and confirmed by his authority this Instruction, which had been prepared in common accord by the Sacred Congregation of Rites, the Sacred Congregation of Religious, and the Commission for Implementing the Constitution on the Liturgy; and he ordered that it be published and that it should take effect from the 6th of February, Septuagesima Sunday, 1966.

Rome, 23 November, 1965.

AAS 57-1010; S. C. Rit. 1965. Commentary in *Notitiae,* 2 (1966)-88-94.

Conditions Attached to Faculty to Use Supplementary Weekday Biblical Readings (Cone. Com. Lit., 1965) Private.

When the Conciliar Liturgical Commission grants the faculty to use the supplementary weekday biblical readings, it attaches the following conditions to it.

1. The arrangement of selections which must be used is that set down in the decree.

2. The proposed readings are used in Masses of classes III and IV which do not have their own proper readings, However, in the first year the series of readings is composed of gospel selections together with readings from other books of Testament; in the second year, the gospel readings are combined with readings from the books of the Old Testament.

3. The readings may be used in Masses of the dead, even in

those of classes I and II, with the exception of the Commemoration of All the Faithful Departed.

4. The application of this grant is left to the decision of the individual Bishop who may determine the limits of the experiment and the practical norms for his territory.

5. Reports on the experiment and its results will be made by the individual pastors to the Bishops who, in turn, will send them to the liturgical commission of the Bishops' Conference.

6. A general report will be submitted by this commission to the Bishops' Conference and then transmitted to this Consilium.

7. The experiment may be continued until other provision is made.

(Private); Cone. Com. Lit., 1965; reported in the 1965 *Acta* of the Cone. Com. Lit. in *Notitiae, 2* (1966)-7.

Note: The second condition listed above is not absolute because the Bishops' Conference of the United States requested and was granted the right to allow the celebrant to choose the first reading from either year of the cycle (rescript dated 30 Jan., 1967).

Vestments for Reading Gospel: Permission for Gon-celebration (S. C. Rit., 12 Jan., 1966) Private.

Cardinal Traglia, Vicar General of Rome, proposed the following questions to the S. C. of Rites:

1. According to n. 44 of the *Ritus servandus in celebratione Missae,* published 27 January, 1965, in Masses celebrated with the attendance of the people, the Gospel may be sung or read by a deacon or another priest, vested in alb and stole. But in practice this encounters a difficulty, because very often this function is performed by a priest who is assigned to hearing confessions. Hence, it is asked:

Question: Whether, in view of these circumstances, in these Masses which are celebrated with the attendance of the people, the priest or deacon may read the Gospel, vested only in a surplice and stole.

2. In article 3 of the *Ritus servandus in concelebratione Missae,* where it treats of the authority in charge of the discipline of concélébration, these statements are made: "It pertains to the Bishop, according to law, to regulate the discipline of concelebration in his diocese, even in the churches and semipublic oratories of exempt Religious. But it pertains to every Ordinary

and also the Major Superior of nonexempt clerical Institutes and of Societies of clerics living in common without vows, to judge of the desirability of concélébration and to give permission for it in their churches and oratories, and also to determine the number of the concélébrants according to the next article, if in view of the circumstances he decides that this is necessary for the dignity of the rite." Hence, the question:

Question: Whether the Major Superior has the right cumulatively *in soliduni* with the local Ordinary to regulate the concelebration of Mass in his churches, or is his right limited to giving permission to use in his churches the faculty of concelebrating already granted by the local Ordinary, and determining the number of celebrants?

Replies: The S. C. of Rites, after having heard the opinion of the Liturgical Commission and carefully considered the matter, decided to reply to the questions proposed as follows:

I. The meaning of the *Ritus servandus in celebratione Missae* is that the deacon, or in his absence another priest, is to assist the celebrant by his ministry during the entire sacred action, and hence he must wear the liturgical vestments proper to his order, namely the alb and deacon's stole for the deacon, and the alb and stole in the priestly manner for the priest.

Consequently, it seems inappropriate that a priest who is assigned to hear confessions should perform liturgical ministration at the altar merely for the reading of the Gospel.

IT. In the churches of Religious the permission of the local Ordinary is not required for concélébration (cf. Constitution on the Liturgy, art. 57, §§1,2 and *Ritus servandus in concelebratione Missae,* art. 3). The faculty of the Major Superior includes three things, namely: o) to judge of the desirability of concélébration: *b)* to give the permission; c) to determine the number of concélébrants if necessarv.

It pertains to the Bishop or local Ordinary to regulate the discipline of concélébration in his diocese (Constitution, art. 57, §2), for example, to forbid concélébration in other churches at the same hour that concélébration is taking place in the cathedral church, to forestall abuses, to safeguard the individual celebration of Masses for the benefit of the faithful, to make regulations

as to the observance of the rite and discipline, the prayer of the faithful, and things of that sort. 12 January, 1966.

(Private); S. C. Rit., 12 Jan., 1966. *Notitiae, 2* (1966)-265-266.

Guidelines for Liturgical Reform (Cone. Com. Lit., 25 Jan., 1966) **Private.**

A letter of Cardinal Lercaro, President of the Liturgical Commission, was sent on 25 January, 1966, to the Presidents of the Episcopal Conferences of all countries, outlining the norms that should regulate the liturgical reform. These were to be communicated to the Bishops so that they might issue appropriate instructions according to local circumstances and needs. We translate the French version of the letter, from *Notitiae,* 2 (1966)-157-161.

Vatican City, 25 January, 1966

Your Excellency:

The happy development of the liturgical reform and of the pastoral movement which goes with it continues to have a profound and salutary influence on the Christian life of our parish communities. The generous promotion of this effort promises to yield more and more abundant results in spiritual renewal, especially if it is done in unison and under the watchful and attentive direction of the Bishops.

In order to assure the progress of this liturgical apostolate, permit me to appeal to Your Excellency-—and it is a pleasure to do so — to point out some problems that have recently come up.

1. *Relations between the Hierarchy and the Liturgical Centers*

In his Allocution of 10 November, 1965, to the Congress for the vernacular translation of liturgical texts,[1] His Holiness emphasized the necessity that the Liturgical Centers and the periodicals treating of liturgy, which are not a direct expression of the Episcopal Conference or the Liturgical Commission, maintain a closer relation with the Episcopal Conferences, so that throughout the same nation there be unity in the directives for liturgical action and that these directives come directly from the Hierarchy.

"The regulation of the sacred Liturgy depends solei}' on the

[1] AAS 57-067, reported above, p. 115.

authority of the Church." (Constitution on the Sacred Liturgy, art. 22, §§ 1-2).[2]

"Consequently, individuals, groups, the principal national organizations concerned with liturgical questions, and the commentaries on the subject — all these, in each country, must be fully dependent on the Hierarchy. It belongs to the competent authority to determine how this close union is to be effected and to take the needed steps to bring it about. Every effort must therefore be made so that on this point also there may be unity of will and action, for we are all striving for one and the same end, and we have one model of perfection toward which we bend all our efforts." (Paul VI, Allocution; AAS 57-969)

In order to put into effect the will of the Holy Father, the following guidelines were given to the Presidents of the National Liturgical Commissions at a meeting which took place at the Apostolic Chancery on 17 November, 1965:

) We are concerned with Centers which are engaged in liturgical and pastoral activities or apostolate, and which organize public manifestations such as liturgical weeks, schools, and Institutes of liturgy.

) The periodicals in question are those which have a pastoral character, and not those whose only aim is scientific study. However, it belongs to the competent authority to judge of the character of this or that periodical.

c) It is also the province of the same authority to decide the manner in which closer relations are to be established; for this may be done in various ways for different places or circumstances; for example, through a delegate on the executive or editorial staff, through a revisor, a director named by the Bishop, and so on.

The important thing is that for one and the same region there should be directives and norms that are uniform, and that the direction of the liturgy be under one head and dependent on the Bishops. The Bishops must, however, take care not to smother the forces that tend toward the renewal of the liturgy; rather, they should sustain and protect them, encouraging them to new initiatives, to make the sacred Liturgy better understood and shared by the clergy and people.

2 AAS 56-97, reported above, p. 32.

These norms are to be put into effect immediately; and Your Excellency will please — the Commission will be very grateful for this — report as soon as possible on the manner in which they have been applied in the territory of the Conference over which Your Excellency presides.

2. *The Mass in Latin*

The use of a living language in the liturgy is to be practiced not only in the spirit of the liturgical Constitution, but also with due regard for concrete local situations.

The adoption of the living language in the Mass has aroused some anxiety here and there. It would be well for the Ordinaries to take into consideration the eventual advisability of keeping, in certain churches especially in the large cities or where there are many tourists,[3] one, or if necessary several Masses in Latin, to be celebrated on a fixed schedule announced in advance, as long as this remains necessary or convenient.

3. *The Liturgical Language in Bilingual Regions*

In the same spirit and with the same pastoral intentions, the local Ordinary in bilingual territories will take care to provide in a suitable manner for the needs of the faithful of diverse languages: either by using Latin or, as is done in some places, by having the services at different times for the faithful of different languages. Let every precaution be taken to see that the language chosen be not troublesome to the persons attending the religious service, and that it do not cause a diminution of charity and understanding in the parishes.

4. *Choral Societies*

Some may imagine that with the liturgical renewal choral societies have become useless and outdated and that they can be quietly suppressed. In some cathedral or collegiate churches this has actually happened.

This is a complete mistake in principle. If it is desired that the liturgical assembly be really initiated, guided, and trained in singing, the choral society is indispensable. While it has its own distinctive part to play, namely, to add a touch of solemnity

3 The special care of tourists, liturgically and otherwise, is urged upon all local Ordinaries in a Circular Letter of the Sacred Congregation of the Council, 19 March, 1966, reported in Latin in this same issue of the *Notitiae,* 2 (1966)-185-189.

and beauty to the services in the line of song, it should also be conscious of its directive function, to induce the participation of the faithful in the singing, by guiding and sustaining them in the parts of the service which are theirs.

5. *The Sacred Character oj Church Music*

It is moreover necessary that the sacred character and beauty which belong to church music, both vocal and instrumental, remain intact. Whatever savors of the profane should be excluded from the sanctuary. *Jazz* music, for example, cannot be admitted today in a repertory of music to be performed in divine services.

Likewise, though the mentality, culture, and traditions of different peoples must be respected, certain instruments of purely profane use are not to be brought into the church. The Church has immense possibilities for profound, effective, and uplifting action, without resorting to means that are of dubious value or even recognized by common consent as harmful.

6. *The Altar Facing the People: the Tabernacle*

I have already said something about this matter in a letter of 30 June, 1965/ but permit me to return to it briefly.

It is certain that to have the altar facing the people makes the eucharistie celebration more real and more of a community service, easier for all to share. But even here renewal must be guided by prudence.

First, for a live and participated liturgy, it is not necessary that the altar face the people. The entire Liturgy of the Word, in the Mass, is celebrated at the chair or at the lectern, and hence facing the people. As for the Liturgy of the Eucharist, microphones, now very commonly installed, are a sufficient aid to participation. Moreover, the architectural and artistic situation must be taken into account; and in many countries this is protected by severe civil laws. And let us not forget that many other factors on the part of the celebrant, the ministers, and the persons present (besides merely having the altar facing the people) are needed to produce a truly worthy celebration.

For that matter, the provisional altars that are set up in front of the main altar for celebrating facing the people, should gradu-

4 French version of this letter appears in *Notitiae,* 1 (I965)-257-264.

ally disappear to make way for a permanent and proper arrangement of the sanctuary.

In the arrangement of altars where Mass is habitually celebrated on Sundays and feast days, special care must be taken to place the tabernacle in an altogether worthy position, according to the directives already given by the Commission. If it seems desirable to place it off the altar, the decision belongs to the local Ordinary, who must judge in each case ("in *casibus particularibus";* Instruction, n. 95) whether the conditions required for such a solution are fulfilled. Hence, the decision cannot be left to the national or diocesan liturgical Commission, and much less to each priest.

7. *Women Serving at the Altar*

Some, relying on an arbitrary interpretation of one or other article of the Constitution, have thought it allowable to admit little girls, teen-age girls, or women to serve at the altar in sacred functions.

Just how far the *munus liturgicum* can go for women, whose baptism does confer on them some right and duty (Constitution, art. 14), is a question which calls for careful study; but in the present arrangement of the liturgy it is certain that women are not to perform a ministry at the altar; for the ministry depends on the will of the Church, and the fact is that the Church has never entrusted the liturgical ministry to women.

Consequently, any arbitrary innovation in this area must be considered a grave infraction of ecclesiastical discipline, and must be firmly excluded.

Will Your Excellency kindly communicate these guidelines to the Bishops of your Conference? Their purpose is to provide norms to enable the Conference and each of the Bishops to formulate concrete directives and to communicate them to the liturgical Commissions and to the clergy of each diocese.

Let me express my sincere fraternal thanks to Your Excellency for all that you may do to make these directives known and practiced.

Very devotedly yours in Christ,

James Cardinal Lercaro, President

(Private); Letter of the Liturgical Commission to the Presidents of all Episcopal Conferences, 25 Jan., 1966. *Notitiae,* 2 (1966)–157–161.

Giving Communion in Hospitals (S. C. Rit., Decree, 14 Feb., 1966) AAS 58-525.

Since nowadays the practice of frequent and even daily Communion is common even for persons who are sick in hospitals — a practice which is attended with some inconvenience because of the new structural form and internal management of these buildings — in order that the Eucharist may be given more easily and more quickly to several sick persons, the S. C. of Rites has decided to change the provisions of the Roman Ritual, Title V, Chapter IV, n. 28, to read:

1. In hospitals consisting of a single building in which there is a chapel, the priest shall recite in the chapel itself all the prayers which according to the Roman Ritual are to be said before and after the Communion of the sick, and shall distribute the Eucharist to each of the sick persons in their respective rooms, using the formula of Communion.

2. In hospitals consisting of more than one building, the Most Blessed Eucharist shall be reverently brought from the chapel and deposited on a table prepared in a decent and suitable place in each building, and there, reciting the prayers that are to be said before and after the Communion of the sick, the priest shall give Communion in the manner described above.

When all this was referred by the undersigned Cardinal Prefect of the S. C. of Rites to His Holiness Paul VI, His Holiness ratified and confirmed these changes and graciously granted that they be put into practice as opportunity offers.

All things to the contrary notwithstanding, 14 Feb., 1966.

AAS 58-525} S. C. Rit., Decree, 14 Feb., 1066. Commentary in *Notitiae,* 2 (1966)-328.

Feast of Saint Joseph in 1967 (S. C. Rit., 13 May, 1966) AAS 58-529.

Since next year, in 1967, because of the occurrence of the Second Passion Sunday "Palm Sunday," the feast of Saint Joseph, Spouse of the Blessed Virgin Mary, Confessor, and Patron of the universal Church, would have to be transferred according to the rubrics from the 19th of March to the 4th of April, several local Ordinaries have asked of this Sacred Congregation of Rites that the said feast be celebrated on the 18th of March.

His Holiness Pope Paul VI, on receiving the report from the undersigned Cardinal Prefect of the Sacred Congregation of Rites in the Audience granted to him on 9 May, 1966, graciously assented to the petition and decreed that next year, in 1967, the Office and Mass of Saint Joseph, Spouse of the Blessed Virgin Mary and Patron of the universal Church, be celebrated on the 18th of March observing the rubrics in other respects.

From the Secretariate of the S. C. of Rites, 13 May, 1966.

AAS 58-529; S. C. Rit., Decree, 13 May, 1966.

Bizarre Liturgical Practices Reprobated (S. C. Rit., 29 Dec., 1966) AAS 59-85.

A declaration of the S. C. of Rites for the application of the Constitution on the Liturgy.

Certain daily papers and rotogravures have now for some time been offering to their readers reports and photographs of liturgical ceremonies, especially celebrations of the Eucharist,, that are far removed from Catholic worship, and almost unbelievable, such as "family Eucharistic banquets" celebrated in private houses, followed by dinners, Masses with unusual and arbitrary rites, vestments and formularies, sometimes accompanied with music of an altogether profane and worldly character, unworthy of a sacred action. All these manifestations, springing from private initiative, inevitably tend to desecrate the liturgy, which is the purest expression of the worship which the Church renders to God.

It is absolutely out of place to allege pastoral adaptation as the motive. For this, let us repeat, develops in order, not in arbitrary impulse. All this is out of line with the letter and spirit of the Constitution on the Liturgy issued by the Second Vatican Council; it is contrary to the ecclesiastical sense of the liturgy and harmful to the unity and dignity of the People of God.

"The variety of languages," said the Holy Father Paul VI on 13 October of this year, "and the novelty of the rites which the movement of renewal is bringing into the liturgy, must not admit anything that is not duly recognized by the responsible authority of the Bishops and the Apostolic See, nothing that is unworthy of divine worship, nothing that is manifestly

profane and unfit to express the interior and sacred character of prayer, nothing so singular and unusual that instead of favoring the devotion of the praying community, it stupefies and disturbs it and impedes the effusion of its own reasonable and legitimate traditional religious spirit."

Whereas we deplore these facts and the publicity which is given to them, we urgently invite Ordinaries, both local and religious, to watch over the right application of the liturgical Constitution, to reprove kindly but firmly the promoters of such manifestations, even though their intentions be good. Let them repress abuses, forestall every initiative that is not authorized and guided by the sacred Hierarchy, ardently promote the true liturgical renewal according to the mind of the Council, so that the grand development of this renewal may proceed without deviations and bring forth the fruits of Christian living which the Church expects from it.

Let us recall, moreover, that aside from the cases provided for and precisely defined by liturgical laws, the celebration of Mass in private homes is not allowed.

Rome, 29 December, 1966.

AAS 59-85; S. C. Rit., 29 Dec., 1966. Annotations in *Ephemerides Liturgicae,* 81 (1967)–75–SI (Bugnini) ; *Notitiae,* 3 (1967)-39-46 (Bugnini). See also statement by U. S. Bishops' Commission on the Liturgical Apostolate, 26 Feb., 1967, reported in *Catholic Mind,* 65 (Apr., 1967)–63–64; *The Pope Speaks,* 12 (1967)-31-33.

Good Friday: Permission to Distribute Communion (S. C. Rit., 15 Apr., 1967) Private.

Petition: The undersigned Bishop of Pembroke, prostrate at the feet of Your Holiness, humbly requests a renewal of the rescript (29 March, 1963, Prot. N. P. 12/963) issued by the Sacred Congregation of Rites permitting the distribution of Holy Communion on Good Friday during the afternoon only and apart from solemn liturgical services but only in mission stations of this diocese. The reason for the request is that very many parishes have mission stations far removed from the parish church. Although it is impossible to repeat the said liturgical services in them, it is nevertheless possible for a priest to go to them and carry out various pious exercises, e.g., the Stations of the Cross, to recall the Passion of our Lord. At the end of

such exercises it would conduce very much to the devotion of the faithful if Holy Communion were distributed to them.

Reply: The Sacred Congregation of Rites, using faculties granted to it by His Holiness, Paul VI, graciously concedes the requested renewal in the instance and for the effect referred to. The terms and clauses of the previous grant still obtain and the faculty is granted for the next five years.

(Private); S. C. Rit., 15 Apr., 1967, Prot. N. P. 15/967; reported by the 1967 Committee on Research of the Canadian Canon Law Society.

A Further Instruction on the Correct Implementation of the Constitution on the Liturgv (S. C. Rit., 4 May, 1967) AAS 59-442.

Three years ago, through the Instruction *Inter Oecumenici,* issued by this Sacred Congregation of Rites on September 26, 1964,1 various changes were introduced into the liturgical services. These changes, which came into effect on 7 March, 1965, were the first fruits of the general liturgical renewal called for by the conciliar Constitution on the Liturgy.

The abundant benefits that have begun to be reaped from this are sufficiently shown in many reports from the Bishops. It is clear from these reports that the conscious and active participation of the Christian faithful in the sacred liturgy has greatly increased in all parts of the world, particularly with regard to the holy sacrifice of the Mass.

In order to develop this participation and to achieve a greater intelligibility and understanding of the liturgical rites, especially of the Mass, the same Bishops have proposed certain other changes. Presented first of all to the Commission for the Implementation of the Constitution on the Liturgy, these changes were carefully examined and considered by the Commission and by this Sacred Congregation of Rites.

Although not everything that was proposed can be accepted at present, some things that are recommended by pastoral motives and do not appear to impede the future and definitive liturgical reform may well be put into practice immediately. On the one hand they are judged to be useful in the gradual introduction of the liturgical renewal, and on the other they can be applied

AAS 56-877. reported above, p. 73.

through rubrical directions which do not demand changes in the liturgical books now in use.

Given this occasion, it seems necessary to recall to every one's attention that important principle of ecclesiastical discipline which was solemnly confirmed by the Constitution on the Sacred Liturgy, namely: "The regulation of the sacred liturgy depends solely on the authority of the Church. . . . Therefore no other person, even if he be a priest, may add, remove or change anything in the liturgy on his own authority" (Constitution on the Liturgy, art. 22, §§ 1 and 3).

Ordinaries, both local and religious, will remember their grave duty before the Lord of ensuring that this law, which is of such importance for the Church's life and structures, be fully observed. But all ministers of sacred rites and all the faithful should conform themselves with a willing spirit to this necessary norm.

This is required both for the spiritual good and development of individuals and also for harmonious cooperation in the Lord and mutual good example among the faithful of the same local community. It is demanded moreover by the serious duty of each individual community to work for the good of the Church throughout the world. This is especially true at the present day, when whatever good or evil arises in local communities quickly affects the entire family of God.

All should bear in mind the warning of the Apostle: "For God is not a God of confusion, but of peace" (1 Cor. 14:33).

In order that the liturgical renewal may be more closely realized and make further progress, the following adaptations and changes are laid down:

I. The Choice of Mass Formulas

1. On class III liturgical days outside Lent, either the Mass of the Office of the day or the Mass of the commemoration made at Lauds may be celebrated. In the latter Mass, the color of the Office of the day may be used, according to no. 323 of the Code of Rubrics.

2. The weekly lectionary, if allowed by the Conference of Bishops in their own territory for Masses celebrated with a congregation, may also be used in Masses which are celebrated without a congregation; in this case the use of the vernacular is permitted for the readings.

This weekday lectionary may be used on certain class II days which are indicated in the lectionary itself and in all Masses of class III or IV, whether Masses of the season, of a saint, or votive Masses, which do not have their own strictly proper readings. that is, readings in which mention is made of the mystery or person being celebrated.

3. On weekdays through the year *(per annum),* when the Mass of the preceding Sunday is used, instead of the Sunday prayers, one of the prayers for particular intentions *(ad diversa),* which are given in the Missal, may be used, or the prayers from one of the votive Masses for particular intentions *(ad diversa)* found in the Missal.

II. Prayers in the Mass

4. In the Mass only one prayer *(oratio)* is to be said. However, according to the rubrics, following the prayer of the Mass and under a single conclusion, there is added:

a) a prayer particular to the rite *(oratio ritualis)* (Code of Rubrics, n. 447);

the prayer of the votive Mass in the profession of men or women religious, where this Mass has been displaced by the Mass of the day (special rubrics of the Missal) ;

the prayer of the votive Mass *pro sponsis,* where this Mass has been displaced by the Mass of the day (Code of Rubrics, n. 380);

b) the prayer in a votive Mass of thanksgiving (Code of Rubrics, n. 382, and special rubrics of the missal);

the prayer on the anniversaries of the Pope and the Bishop (Code of Rubrics, n. 449-450) ;

the prayer on the anniversary of the priest's own ordination to the priesthood (Code of Rubrics, n. 451–452).

5. If in the same Mass there are several prayers to be said under one conclusion, then only one is in fact added. This should be the one most in keeping with the celebration.

6. In place of the prayer to be said for a particular intention *(oratio imperata),* the Bishop may insert in the Prayer of the Faithful one or other intention for particular needs.

Similarly, the competent territorial authority may decree the insertion of intentions in the Prayer of the Faithful. These may be directed to be said for governments and rulers in different

ways in various places, in addition to special intentions for the needs of the entire nation or region.

III. Changes in the Order of the Mass

7. The celebrant genuflects only:

a) when he goes to and conies away from the altar, if the Blessed Sacrament is present in the tabernacle;

Z>) after the elevation of the host and after the elevation of the chalice;

c) after the doxology at the end of the Canon;

d) at the Communion, before he says *Panem caelestem accipiam ;*

e) after the Communion of the faithful, when any hosts which may be left over have been placed in the tabernacle.

All other genuflections are omitted.

S. The celebrant kisses the altar only at the beginning of Mass, when he says the prayer *Oramus tc, Domine;* or when he goes to the altar, if the prayers at the foot of the altar are omitted: and at the end of Mass before he blesses and dismisses the people.

All other kisses of the altar are omitted.

9. At the offertory, after the offering of the bread and wine, the celebrant places both the paten (with the host on it) and the chalice on the corporal, omitting the signs of the cross with paten and with the chalice.

The paten, with the host on it, is left on the corporal both before and after the consecration.

10. In Masses celebrated with the people, even when not concelebrated, the celebrant may recite the Canon aloud, if it seems opportune. In sung Masses *{Missae in cantu)* those parts of the canon may be sung which may be sung in a concelebrated Mass.

11. In the Canon the celebrant:

a) begins the *Te igitur* standing upright and with his hands extended ;

b) makes one sign of the cross over the offerings at the words *benedicas haec dona, haec munera, haec sancta sacrificia illibata,* in the prayer *Te igitur.* All other signs of the cross over the offerings are omitted.

12. After the consecration, the celebrant need not join his

thumbs and forefingers; if there is any fragment of the host on his fingers, he purifies his fingers over the paten.

13. The rites for the Communion of the priest and the faithful shall be arranged in the following way: after saying *Panem caelestem accipiam,* the celebrant takes the host and, standing facing the people, raises it saying, *Behold the Lamb of God;* then he adds, *Lord, I am not worthy,* three times with the faithful. He next receives the host and drinks from the chalice, omitting the signs of the cross; then he distributes Communion to the faithful in the usual way.

14. The faithful who go to Communion at the Mass of the Chrism on Holy Thursday may receive Communion again at the evening Mass of the same day.

15. Before the postcommunion in Masses celebrated with the people, if it seems opportune, either a period of silence may be observed or a psalm or canticle of praise may be said or sung, e.g., Ps. 33 *Benedicam Domino;* Ps. 150 *Laudate Dominum in sanctuario cius;* the canticles *Benedicite, Benedictus es.*

16. At the end of the Mass the blessing is given immediately before the dismissal. It is praiseworthy for the priest to recite the *Placeat* to himself as he leaves the altar.

In Masses for the dead also, the blessing and dismissal *{The Mass is ended. Go in peace)* are given in the usual way, unless the absolution follows immediately; in this case, *Let us bless the Lord* is said, the blessing is omitted, and the celebrant proceeds to give the absolution.

IV. Special Circumstances

17. In the Mass *pro sponsis,* the celebrant does not say the irayers, *Propitiare* and *Deus, qui potestate* between the Lord's Prayer and its embolism, but after the host has been broken and the particle dropped into the chalice, immediately before the *Agnus Dei.*

If the Mass is celebrated facing the people and it seems convenient, having put the particle into the chalice the celebrant genuflects, approaches the married couple, and says the prayers mentioned above. He then returns to the altar, genuflects, and continues the Mass in the usual way.

IS. A Mass celebrated by a priest who is sick or whose sight is failing and who has the induit to say a votive Mass, may be arranged as follows:

a) the priest says the prayers and the preface of the votive Mass;

b) another priest, or a deacon, lector or server shall read the lessons from the Mass of the day or from the weekday lectionary. If there is only a lector or a server, he is granted the faculty to read the gospel. In this case, the *Munda cor meum, lube domne, benedicere,* and *Dominus sit in corde meo* are omitted; the celebrant says, *The Lord be with you,* before the reading of the gospel and kisses the book at the end;

c) the choir, the people, or even the reader himself may read the introit, offertory and communion antiphons, and the songs between the readings.

V. Variations in the Divine Office

19. Until the general reform of the Divine Office, on class I and II liturgical days, which have Matins with three nocturns, it is permissible to say one nocturn only. The hymn *Te Deum* is said at the end of the third reading, in accordance with the rubrics. The rubrics given for the *Triduum Sacrum* in the Roman Breviary remain unaltered.

20. In individual recitation, the absolution and blessings before the readings and the conclusion *Tu autem* are omitted.

21. When Lauds and Vespers are celebrated together with the people, a longer Scripture reading may be used in place of the chapter. It may be taken, for example, from the Matins or the Mass of the day, or from the weekday lectionary, and followed, if convenient, by a short homily. Unless Mass follows immediately, the Prayer of the Faithful may also be said before the oration.

When such additions are made, only three psalms need be said: at Lauds any one of the first three Psalms may be selected, to be said together with the canticle and the last psalm; at Vespers any three of the five psalms may be selected.

22. When Compline is celebrated together with the people, the Sunday psalms may always be used.

VI. Variations in the Rites for the Dead

23. Violet vestments may be used for the Masses and rites for the dead. However, the Conference of Bishops may determine another color which is suited to the mentality of the people and does not offend against personal grief, while expressing that Christian hope which is founded on the paschal mystery.

24. At the absolution, the responsory *Libera me, Domine* may be replaced with others taken from Matins for the dead, namely, *Credo quod Redemptor meus vivit; Qui Lazarum resuscitasti; Memento met, Deus; Libera me, Domine, de viis inferni.*

VII. Liturgical Vestments

25. The maniple need not be worn at any time.

26. A chasuble may be worn for the *Asperges* before Mass on Sundays, for the blessing and giving of ashes at the beginning of Lent, and for the absolution after Masses for the dead.

27. At concelebrated Masses, each concelebrant must wear those vestments which he is obliged to wear when he is the only celebrant *(Ritus servandus in Concelebratione Missae, n. 12).*

Nevertheless, where there is a serious reason, for example, a large number of concélébrants and a lack of vestments, the concelebrants— always with the exception of the principal celebrant — need not wear a chasuble, but must always wear an alb and stole.

VIII. Use of the Vernacular

28. The competent territorial authority, observing art. 36, §§ 3 and 4, of the Constitution on the Sacred Liturgy, may decree that in liturgical celebrations with the people present the vernacular may also be used:

a) in the Canon of the Mass;

b) in all the rites of holy Orders;

c) in the lessons of the Divine Office, even in choral celebration.

In the audience granted on 13 April, 1967, to the undersigned Arcadio Maria Cardinal Larraona, Prefect of the Sacred Congregation of Rites, His Holiness, Pope Paul VI, by his authority approved and confirmed the present instruction in all its parts, ordered that it should be published and carefully observed by all to whom it pertains, beginning 29 June, 1967.

Rome, 4 May, 1967, the Feast of the Ascension of our Lord.

AAS 59-442; S. C. Rit., 4 May, 1967. Annotations in *Ami du Clerge,* 77 (1967)-353-358 (Oury) ; *Australasian Catholic Record,* 44 (1967)–245–259 (Murphy); *Sal Terrae,* 55 (1967)—103—115 (Higuera); *Furrow,* 19 (1968)-177-179 (Bugnini).

All the variations in the *Ordo Missae* made by the above instruction were lined up in a decree of S. C. Rit., 18 May, 1967, Prot. N. R. 21 967, entitled *Variationes in Ordinem Missae Inducendae,* and were published in *Notitiae, 3* (1967)—195–211 as well as in special booklet form available from Vatican Press.

Altar: Crucifix. Sec c. *822,* private reply of Liturgical Commission, without date. *Notitiae, 2* (1966)-290-291.

Facing the people. See c. *822,* S. C. Rit., 16 July, 1965.

In ordination Mass. Sec c. 1005; S. C. Rit., 26 Nov., 1965.

Application of the Liturgical Reform: A letter of Cardinal Lercaro, President of the Conciliar Commission, under date of 30 June, 1965 and addressed to the Presidents of the Bishops' Conferences *of all countries,* outlines some practical suggestions for the application of the norms of the Constitution on the Liturgy and the Instruction for its proper implementation. Reported in the *Bollellino dell' archidioccsi di Bologna,* June-Aug., 1965. French version in *Documentation Catholique, 62* (1965)-1579-1586. There were official versions in the five principal languages. Cf. *Doc. Cath., ibid.,* 1579 and the correction, *ibid.,* 1896.

Another letter of Cardinal Lcrcaro was addressed to the Presidents of the Bishops' Conferences, 21 June, 1967; French text reported in *Notitiae,* 3 (1967)–289–296.

Australia: Induit given to, to use the Jerusalem Bible in its English version and to omit the *Dies irac* in *all* requiem Masses; reported in *Australasian Catholic Record,* 44 (1967)-191.

Breviary: Reform of the Calendar and Psalter: Two reports on the work of the Conciliar Commission. *Notitiae,* June, 1965. French versions in *Documentation Catholique,* 62 (1965)–1395–1402. Further reports on the biblical and patristic readings in the Breviary arc reported in the *Notitiae* for July-August, 1965 and in *Doc. Cath.,* 62 (1965)–1587.

Churches: Building and reorganization of: Ireland: pastoral directory' drawn up by the Episcopal Liturgical Commission, reported in *Furrow,* 17 (1966)-471–178; *Irish Eccles. Record, 105* (1966)-381-387; *Jurist,* 26 (1966)-493-500.

Commission for Implementation of the Constitution on the Liturgy:

Allocutions of Paul VI to the members and consultors: 29 Oct., 1964 (AAS 56-993); 13 Oct., 1966 (AAS 58-1145), English version in *The Pope Speaks,* 12 (1967)–9-14; IQ Apr. 1067 (AAS 50–IIS), English version in *The Pope Speaks,* 12 (1967)–110–113.

Appointment of the Commission: The membership of this Conciliar Commission, as announced in the AAS of 27 June, 1964, consists of 10 Cardinals, 2S Archbishops and Bishops, 3 priests of religious institutes, and a Secretary, a total of 42 (AAS 56-479).

Continuation and function of. See c. 242; Paul VI, Ap. Const., 15 Aug., 1967, nn. 61, §4; 133.

Communion: Distribution of, by lay religious. See c. 845.

Communion Under Both Species: See below: Concélébration.

Concélébration: *Ritus Servandus in Concelebratione Missae et Ritus Communionis Sub Utraque Specie,* S. C. Rit., 7 Mar., 1965, Prot. No. U5/965; not published in .1.4S but in special booklet form. Annotations in *Ephemerides Liturgicae, 'I9* (196S)-18S-23S (Braga) ; *The Jurist,* 25 (1965)–326–329 (Bishop). See also above, p. 105.

A study on concélébration, issued and distributed by the U. S. National Liturgical Commission, was published in *Newsletter,* vol. 2, n. 5 (June, 1966). The complete text in English is given in *Notitiae,* 2 (1966)-282-288.

Divine Office: Choral recitation of. See c. 610; Paul VI, Apostolic Letter, 15 Aug., 1966.

Vernacular, use of. See c. 135; *Notitiae,* 2 (1966)–289.

See also Breviary.

Excessive Zeal for Innovation in the Liturgy: Not recommended. See c. 218; AAS 56-993.

Experimental Funeral Liturgy Authorized in Saint Louis. The following report is given in *Notitiae,* 2 (1966)–363, quoted from *Liturgy* for November, 1966, page 1:

"Because Cardinal Ritter of St. Louis and Archbishop Paul Hallinan of Atlanta are members of the post-conciliar liturgical Commission *{Consilium),* they have permission to assign places for trying out revised rites as they come from the *Consilium.* First of these was a funeral liturgy, and the September 30 issue of the *St. Louis Review* scouted some comments from the 21 parishes in that archdiocese in which it is being used. Reactions quoted were uniformly enthusiastic, stressing particularly the paschal, joyful and hopeful character of the new rite, the freshness and flexibility of options in psalms and readings, happy impressions at seeing a liturgical color other than black and the personal greeting of family and friends at the door of the church. The dropping of the *Dies irac* and *Libera* was also greeted with enthusiasm."

Family Eucharistic Banquets: Statement by U. S. Bishops' Commission on the Liturgical Apostolate, 26 Feb., 1967, occasioned by S. C. Rit.'s declaration on bizarre liturgical practices,[1] 29 Dec., 1966 (AAS 59-85); reported in *Catholic Mind,* 65 (Apr., 1967)–63–64; *The Pope Speaks,* 12 (1967)-31-33.

Fatima: Special liturgical privileges not only in the Diocese of I.eiria in which the sanctuary of Fatima is situated, but throughout the world, were decreed by the S. C. of Rites with the approval of Paul VI for the entire year of the 50th anniversary of the apparitions, i.e., from 13 May, 1967 to the same date in 1968. S. C. Rit., 9 Feb., 1967 (AAS 59-181).

Graduate Simplex: authorized for use in small churches; S. C. Rit., Decree, 3 Sept., 1967, Prot. N. U. 7/966, together with official *Praenotanda,* reported in *Notitiae,* 3 (1967)–311-315. Annotations on pp. 315-325 (Agustoni); *Ephemerides Liturgicae,* 81 (1967)–473–481 (Braga-Claire).

Liturgy: Commission for Implementing the Constitution; Allocution, Paul VI, 13 Oct., 1966 (AAS 58-1145). English version in *The Pope Speaks,* 12 (1967)–9–14.

France: National Center of Pastoral Liturgy, officially established. 28 Jan., 1965, continues the work begun in 1943. *Notitiae, 2* (1966)-95-105.

Mass: Home. Sec above: Family Eucharistic Banquets.

Normative: Questions voted on; comparative outline with present-day

[1] Reported above in this volume, p. 129.

Mass; general study of all phases of; reported in *Notitiae,* 3 (1967)-357-359. 371-380.

Variations to be introduced into *Ordo Missae* as result of new instruction of S. C. Rit., 4 May, 1967: reported in *Notitiae,* 3 (1967)-195-211 as well as in special booklet form available from Vatican Press.

Oratio Itnperata de Spiritu Sancto during Council. See c. 222 (AAS 55-S38).

Preface in the Vernacular: In a letter of 27 April, 1965, Cardinal Cicognani, Secretary of State, communicated to Cardinal percaro, President of the Conciliar Commission for the Liturgy, that His Holiness Paul VI had *authorized the Bishops' Conferences of each country* (cf. Instruction, art. 58) to permit the use of the vernacular in the Preface of the Mass. Bishop Jclmini, Apostolic Administrator of Lucerne and Dean of the Conference of Bishops of Switzerland, announced that the Conference permits the use of the vernacular in the Preface, in all Masses celebrated with the attendance of the people, and that this provision was confirmed by the Holy See on 22 July, 1965, and is now promulgated for Switzerland, to go into effect on 1 Aug., 1965. *Documentation Catholique,* 62 (1965)–1586.

Prefaces: Four new ones approved, in the *vernacular.* In a rescript from the S. C. Rit., 3 Feb., 1966, permission was granted for the use *ad libitum* of four prefaces appended to new altar Missals. The rubrics for their use arc as follows:

1. The Preface of Advent is said: a) as a proper preface in seasonal Masses from the First Sunday of Advent up to the vigil of Christmas inclusive; b) as a seasonal preface in other Masses which arc celebrated during the same period and which lack a proper preface.

2 The Preface of the Blessed Sacrament is said on the feast of Corpus Christi and in votive Masses of the Blessed Sacrament.

3. The Preface of All Saints is said on the feast of All Saints, on the least of patron saints and of the titular of the church (except in the case of the rngels), and in votive Masses of the same, if they lack a proper preface.

4. The Preface of the Dedication of a Church is said in Masses of the dedication of a church.

This information is given in *The Priest,* 24 (1966)–139 in a reply of Walter J. Schmitz to a question *Notitiae,* 2 (1966)-128, state only that four "particular" prefaces (without naming them or giving the rubrics) have been approved in the vernacular texts presented by the Episcopal Conference of the United States, 23 March, 1966, Prot. n. 902/66.

Religious: Liturgical apostolate to concord with Hierarchy. See c. 487; private *Monitum* from S. C. Rel., 14 Dec., 1965.

Rite: Communion under both species. See above: Concélébration.

Mass: revised *ordo servandus in celebratione,* S. C. Rit., 27 Jan., 1965; not published in .4.45 but in special booklet form. Annotations in *Ephemerides Liturgicae,* 79 (1965)–122-143; *Nouvelle Revue Thiol.,* 87 (1965)-632-64O (Tihon).

Saint Benedict, Patron of Europe: Mass. See c. 1276, ref.; AAS 57-542.

Sanctuaries: Building and reorganization of. See Churches above.

Shrine: Definition of. See c. 1154; S. C. Scm. et Univ., 22 Dec., 1955.
Society of Jesus: Patrons for various Provinces. See c. 1276; AAS 56-297, 298, 300.
Vernacular in Ordination Rite. See c. 1002; S. C. Rit., 17 July, 1965

CANON 3

Argentina: Concordat with the Argentine Republic, 28 Jan., 1967 (AAS 59-127).
Concordat: Austria, concerning the Diocese of Innsbruck-Feldkirch, 7 July, 1964; effective by exchange of documents, 8 Aug., 1964 (AAS 56-740).
Bavaria: agreements with the Holy See: I. Concerning the erection of a Theological Faculty in the University of Ratisbon, 2 Sept., 1966 (AAS 58-1135); II. Concerning the suppression of the Graduate School of Philosophy and Theology of Friesingen and the endowment of the Theological Faculty of the University of Munich, 2 Sept., 1966 (AAS 58-1138).

CANON 8

Revision of the Code of Canon Law (Paul VI, Allocution, 20 Nov., 1965) AAS 57-985.

An allocution of Paul VI to the members and Consultors of the Commission for the revision of the Code of Canon Law.

Venerable Brothers and dear Sons:

Members and Consultors of the Commission for the Revision of the Code of Canon Law,[1] We take particular pleasure in greeting you here in this Vatican Palace, close to the tomb of Saint Peter on whom the Church was founded. By your services you are collaborating in the building up of the Church and in her life. The mystery of the Church has been placed in a fuller light by the Second Ecumenical Council of the Vatican. She is "by the will of her Founder a perfect social body."[2] She is therefore necessarily a visible body, and by that very fact must be governed by laws. On this point the will of God, far from being opposed to the natural law by which man is a social being belonging to a family and a State, is perfectly in accord with it.

1 This Commission was created on March 28, 1963, by John XXIII who appointed its first members, 29 Cardinals (AAS 55-363). Paul VI appointed 12 more Cardinals as members on November 7, 1963 (AAS 55-1056), and on April 25, 1964, 70 Consultors (AAS 56-473); finally on November 13, 1965, Paul VI appointed 21 new Cardinal members. Cf. references given under canon 222, and *Documentation Catholique,* 62 (1965)–2139.

2 Pius XII, Encyclical, *Mystici Corporis,* AAS 35-226.

The Church, a society established by God, is designed for eternal salvation; that is her end. Her sons are of course also inhabitants of this earth, but "they have not here a lasting city but they seek one that is to come."[3] Hence canon law, which, because of the social nature of the Church, has its basis in the power of jurisdiction which Christ gave to the hierarchy, "is wholly oriented to the good of souls, so that by obeying the laws of a superior authority men may possess the truth and the grace of Christ, and may live, grow up and die in holiness, piety, and faith."[4] This is the high purpose toward which canon law is directed, and consequently it has the special competency of governing the Church and controlling its structure by just institutions and laws.

Every one knows — but it is good to recall it — that certain constituent elements of the Church, which is a hierarchical society, are of divine law. This is the case for the primacy of the Roman Pontiff, the episcopacy, the priesthood, the deaconship, and even the laity, although they' have no governmental authority. Other constituent elements on the contrary are of human law, for example, patriarchs, archbishops, parish priests, religious.

The Apostles administered ecclesiastical law, which is a human "positive" law, and their successors after them retained this power without interruption. The hierarchy has the power and the duty to govern the Church and her members after the manner of watchful shepherds. The hierarchy has the power to govern, that is, to make laws and pass judgments and to regulate their application. It has the power of *magisterium,* that is, the power to teach the people of God authoritatively. Finally, it has the power of Order, that is, of dispensing the aids and benefits of divine grace.

Persons subject to the hierarchy have a duty in conscience to obey the law, according to the Scripture: "He that heareth you heareth me, and he that despiseth you despiseth me" (Luke, 10, 16). Hence the precepts of the law certainly express the will of Christ, to whom we are subject as our Master.

It is difficult to see why some persons, taking an exaggerated view of the liberty "to which we are called" (cf. Gal. 4, 31), give a wrong interpretation to this teaching of Saint Paul, and assert that liberty is opposed to law. Actually it is clear that obedience, far from stifling liberty, brings it to perfection,

' Cf. Hebr. 13, 14.

* Cf. Pius XII, allocution, 17 Oct., 1953, AAS 45-ὐ88.

heightens its effects and fulfills the person. Disobedience on the contrary, scatters forces and makes man a slave to his instincts.

Neither can one agree with those who disparage canon law by saying that "the letter kills, but the spirit quickens" (cf. 2 Cor. 3, 6), that is to say that the letter produces only an external and false respect for the law. It is true, of course, that the letter must not be contrary to the spirit; but every law requires the "letter," that is, a clear written declaration. The Code of Canon Law bears manifest witness to this truth.

There are others who make a distinction between the Church which they call "juridical" or "official" and "the Church of charity," saying that the precept of charity is the first of all and must be given the primacy. According to them, all the ills that afflict the Church come from her "juridical" character. None the less, just as the soul cannot be separated from the body without causing death, so also what they call "the Church of charity" cannot exist without the "juridical" Church. It is just impossible to ignore the fact that, as We said at the outset, the Church is by the will of God a visible society equipped with all the institutions designed for its external government. Christ conferred on the Apostles and their successors the power of jurisdiction; that is what the Gospel teaches. Our Lord said to His Apostles: "All power is given me in heaven and on earth. Going therefore teach ye all nations; baptizing them in the name of the Father and of the Son and of the Holy Ghost; teaching them to observe all things whatsoever I have commanded you." (Matt. 28, 18-20). Saint Paul develops this doctrine openly and fully especially in the First Epistle to the Corinthians.

Still less can one agree with those who claim that in the Church there is no hierarchy but only a "ministry," chiefly of the word, meaning by this that nothing must come between Christ and the community of the faithful to separate them; or with those who hold that the nature of the Church is opposed to the nature of law; that is, that there is only the one "sacramental law," which governs the administration of the sacraments, and that the hierarchy exists only in the measure in which it is needed for this administration of the sacraments. All these assertions are a denial of positive law itself.

All this, as you know, is completely contrary to the message of the Gospel and to the history of Christ, who chose, constituted,

and sent His Apostles. It is they who make up the hierarchy and are charged with particular functions to feed the flock entrusted to them, with authority, that is, with the threefold power which We mentioned above, and to lead them to eternal salvation.

We must hold that all authority comes from God (cf. Rom. 13, 1), that all the powers of the Church come from Christ and depend on Him, so that the sacred ministry is either a simple instrument of the power of Order or sacramental power, or a secondary and "subordinate" cause of the power of jurisdiction. This, therefore, in no way detracts from Christ. Moreover, although as We said before, the Church is a hierarchical society from the fact that she possesses various degrees of power, all Christians are on a plane of perfect equality as regards the attainment of sanctity and eternal salvation. As we all know, canon law — which comes from the divine natural law, from Holy Scripture, Tradition, the decretals and other sources — admits of a certain progression. But here some distinctions are needed. Since "there is a very close connection between theology and canon law" (cf. the Encyclical *Mystici Corporis,* AAS 35-244, and the allocution of Pius XII, 29 Apr., 1952, AAS 44-376) some of the fundamental elements, that is, those that are of divine law, can in no way be changed. Aside from this, one should as far as possible be faithful to traditions, especially if there is question of very ancient ones.

However, the law has for its purpose to direct properly and to guide to their destined end the members of the Church, all souls, and the whole community, solidly united on a spiritual level. Every living body is in a state of constant development; the Church shares the fate of civil society, whose disturbances and vicissitudes are much greater. Canon law has had and will have in the future a certain progressive development which is not only useful but necessary. We are speaking, of course, of "positive" human law.

If we look back to the Middle Ages and to some more recent times, we see that a very great number of laws were promulgated. It had become difficult to find them; they were so numerous that people lost all track of them. That is why Pius X made the wise decision to draw up the Code of Canon Law, which has given precious service to the Church, as the experience of nearly fifty Years has shown.

Today conditions are very much altered; in fact it seems that life is evolving at an ever faster pace; we must undertake a prudent revision of canon law. It must be adapted to the new needs of the people of God and to the new spirit characteristic of the Second Vatican Council, which demands that the primacy be given to pastoral concerns.

The Code of Canon Law "retains for the most part the discipline that has been in effect until now" (canon 6), but it seems that now certain matters must be brought out more clearly. This shows how heavy are the responsibility and the work of your Commission. It has to do in a short time what formerly it required generations to accomplish. But the road is easier, for the Code of Canon Law will serve as a guide. Besides, the Second Ecumenical Council of the Vatican has drawn the great lines of the new work, so that many subjects will need only to be defined and enacted in more precise detail.

But here we face a serious problem from the fact that there are two canon laws, one for the Latin Church and another for the Oriental Church. The question arises whether it would be better to establish a common and fundamental Code containing the constitutional law of the Church.

Your Commission, profiting as it does from the advice of Consultors, represents in a way the universal Church, geographically, in regard to special knowledge of various disciplines and questions, and also as to pastoral practice. It is in view of this fact that We recently appointed a number of new members.[5]

Begin your work, then, promptly and resolutely, so that in our time, when people are particularly agitated and eager, you may show them the way that leads to true well-being and true peace, through laws that are adapted and appropriate. Thus you will be builders of the Church, which now ardently hopes for happy developments.

We pray to God "the Father of lights, from whom is every best gift" (cf. James 1, 17) that He may assist you, guide you, and heap His gifts upon you in full measure; in pledge of which, Venerable Brothers and dear Sons, We gladly give you Our apostolic Blessing.

AAS 57-985; Paul VI, Allocution, 20 Nov., 1965.

5 See footnote 1 above.

Revision of the Code: To be guided by the *principles* of Vatican Council II, and to take into account also the *observations* made by the Commissions and Fathers of the Council. See c. 222, Decree on the Pastoral Office of Bishops, n. 44. See also c. 292 (AAS 57-638).

Study of, together with numerical list of, all canons which have undergone derogation in some way as a result of various documents issued by the Holy See up to 1 December, 1967, in *Ami du Clerge,* 77 (1967)-677-682; 78 (1968)-65-71 (Vermullen).

Suggested new section on monastic life for proposed revision of the Code: reported in Latin in *Jurist,* 26 (1966)–331-357, and in English in *Review for Religious,* 26 (1967)-19-45.

CANON 13

Dispensation: from general laws. See c. 329; AAS 58-469, V.

CANON 36

Faculty of Local Ordinary to Extend .Apostolic Rescripts. Sec c. 329; Paul VI, 30 Nov., 1963, n. 1.

CANON 66

Quinquennial Faculties Not Replaced by *Pastorale Munits* Continue in Effect (S. C. Consist., 19 Dec., 1963) Private.

At the request of the U. S. Apostolic Delegate, the N.C.W.C. General Secretary sent the following notice to all local Ordinaries of the United States.

When His Holiness, Pope Paul VI, issued the apostolic letter, *Pastorale munus,*[2] a question arose about the effect this had on the *Index Facultatum Quinquennalium- in materia communi ct quoad ius delegandi.*

I made an inquiry about this to the Holy See and now have been informed by the Sacred Consistorial Congregation that

1 Reported in this volume, 370.
2 Reported in Canon Law Digest, 4, pp. 69-82.

those parts of the *Index* continue in effect even after the publication of the *Pastorale munus.*

(Private); S. C. Consist., 19 Dec., 1963, Prot. N. 1209/63; copy kindly sent us by the Rt. Rev. Msgr. Paul F. Tanner, General Secretary of N.C.W.C.

Faculties of Superiors General of Pontifical Clerical Religious Institutes and of Abbots President of Monastic Congregations (Sec. St., Rescript, 6 Nov., 1964) AAS 59-374.

The papal Secretariate of State issued the following "pontifical rescript whereby certain faculties are delegated by the Apostolic See to Superiors General of clerical religious institutes of pontifical law and to Abbots President *{Abbatibus Praesidibus}* of monastic congregations."

Since petitions have been made to the Apostolic See that Superiors General of clerical religious institutes be empowered to enjoy some specific faculties whereby they can exercise their function more expeditiously, our Holy Father, Paul VI, the Supreme Pontiff, on the 6th of November of this year, after having admitted me, the undersigned Cardinal for the Public Affairs of the Church, to his presence, has acceded to the petitions presented and has deigned to decree the following in the belief that he could render the internal government of religious institutes easier as well as give a deserved testimonial of his good will to religious institutes themselves.

I. *The subjoined jacuities are delegated to Superiors General oj Clerical religious institutes oj pontifical law and to Abbots President oj monastic congregations:*

1. To permit their own priest-subjects only to celebrate Mass in their own houses and to distribute Holy Communion at any hour of the day for the good of the religious and for a just cause provided the other requirements are observed and provided there is no prejudice to the rights of the local Ordinary in what pertains to celebrating Mass for the benefit of the faithful.

With the consent of their council they can subdelegate this faculty to other major superiors of the same religious institute.

2. To allow their own priest-subjects afflicted with poor eyesight or suffering from other infirmity to celebrate daily the votive Mass of the Virgin Mary, Mother of God, or a Mass of the Dead with the assistance, if necessary, of another priest or of a deacon and with observance of the liturgical norms and prescriptions laid down in this matter by the Holy See.

3. To grant the same faculty to their own priest-subjects who are totally blind provided, however, that another priest or a deacon assist these celebrants.

4. To grant to their own priest-subjects the faculty to celebrate Mass on an altar stone or, in the case of those of the Oriental rite, on an *antimensiuin* in the religious house but outside a sacred place provided the place is respectable and becoming and not a bedroom. This faculty can be granted only by way of act and for a just cause; if, however, there is question of constant celebration of this kind, a more serious cause is required.

With the consent of their council they can subdelegate this faculty to other major superiors of the same religious institute.

5. To permit their own priest-subjects who are infirm or elderly to celebrate Mass seated if they are unable to stand and provided the liturgical laws are observed.

6. With the consent of their council, to dispense their own subjects who are to be promoted to sacred Orders from defect of age provided it does not exceed six complete months.

7. With the consent of their council, to dispense their own subjects from the impediment to sacred Orders which bars sons of non-Catholics for as long as the parents remain in their error.

Likewise, to dispense from the impediment which bars admission to religious life for those who have adhered to a non-Catholic sect. Also to dispense from illegitimacy those to be admitted into religious life, even if they are destined for the priesthood, provided they are not sacrilegiously or adulterously illegitimate. Nevertheless, if a conflict on this matter arises between the Bishop and the Superior General, the former's decision is to prevail.

8. With the consent of their council, to dispense their own subjects who have already received sacred Orders from every kind of irregularity arising from either delict or defect but only for the reason of being able to celebrate Mass. The faculty is

conditioned on the due performance of the ministry of the altar and on no scandal arising from its use.

Excepted from the faculty, however, are the cases mentioned in can. 985, nn. 3 and 4 of the Code of Canon Law. When there is question of the crime of heresy or schism, an abjuration in the hands of him who absolves must precede.

9. With the consent of their council, to allow for a just cause that property belonging to the religious institute may be alienated, pledged, mortgaged, rented out, or perpetually leased[1] and that moral persons belonging to the religious institute may contract debts to the sum of money determined by the National or Regional Conference of Bishops and approved by the Apostolic See.

10. To grant to their own subjects permission to read and retain prohibited books and papers, not excepting those which professedly propound heresy or schism or those which attempt to undermine the foundations of religion. Precautions, however, must be taken lest these writings fall into other hands. This permission, moreover, can be granted to those only who need to read prohibited books or papers to refute them, or to discharge one's function more beneficially, or to pursue a course of studies more exhaustively.

11. To issue dimissorial letters for their own subjects who are to receive sacred Orders, with observance of legal requirements: namely, when there is question of religious institutes which do not already enjoy this kind of faculty from law (C.I.C., can. 964, n. 2).

With the consent of their council, they can subdelegate this faculty to other major superiors of the same religious institute.

12. To grant not only to their own priest-subjects but also to those priests of any rite whatever of either the secular clergy or of another religious institute, provided they are approved by their own Ordinary or their own major superior, delegated jurisdiction

[1] Translator's Note: *Emphyteusi redimi,* i.e., to enter a contract of emphyteusis. This type of contract is unknown in Anglo-American law. Its closest parallel in American law is a ninety-nine year lease. The redemption of the rental is almost equivalent to the exercise by the lessee of an option of purchase which, upon payment of a lump sum, transfers to him the full legal title and relieves him of the obligation of further annual payments of rental. (Cf. Canon Law Digest, 1, pp. 732-733.)

to hear the confessions of professed members, novices, and others mentioned in can. 514, § 1 of the Code of Canon Law and can. 46, § 1 of the Apostolic Letter *Postquam Apostolicis Litteris*,[2] issued *motu proprio* on 9 February, 1952: namely, when there is question of religious institutes which do not enjoy this kind of faculty from law (C.I.C., can. 875, § 1).

With the consent of their council they can subdelegate this faculty not only to other major superiors but also to the superiors of individual houses of the same religious institute.

13. To perform acts of jurisdiction for government and internal discipline after the manner of major superiors of regulars, always without prejudice to dependence on local Ordinaries according to the norm of canon law: namely, when there is question of religious institutes which do not enjoy this kind of faculty from law (C.I.C., can. 501, § 1; 198, §1).

With the consent of their council they can subdelegate this faculty to other major superiors of the same religious institute.

14. With the consent of their council, to restore their own temporarily professed subjects to the condition of seculars so that these subjects may freely and licitly return to the world, as it is called, according to the norm of either can. 640, § 1, nn. 1 and 2 of the Code of Canon Law or can. 191, § 1 of the Apostolic Letter *Postquam Apostolicis Litteris*.

15. With the consent of their council, to permit their own subjects, for a just cause, to be absent from the religious house but not beyond a year. If this permission is granted because of ill health, it can be granted for as long as the need perdures. If, however, it is granted for the sake of engaging in works of the apostolate, it can be granted, for a just cause, even beyond a year, provided that the apostolic works engaged in are conjoined to the purposes of the religious institute and that the norms of both common law and particular law are observed.

With the consent of their council they can subdelegate this faculty to other major superiors who, however, cannot use it except with the consent of their own council.

16. With the consent of their council, to grant their simply professed subjects who reasonably request it, the faculty to cede the property of their patrimony for a just cause with

[2] AAS 44-65.

exception of property necessary for the support of the religious in case of departure from the religious institute.

With the consent of their council they can subdelegate this faculty to other major superiors who, however, cannot use it except with the consent of their own council.

17. To allow their own simply professed subjects to change their last will and testament.

With the consent of their council they can subdelegate this faculty to other major superiors of the same religious institute.

18. With the consent of their council, to transfer, perpetually or temporarily, the location of a novitiate already erected according to the norm of law to another house of the same religious institute provided notice has been given to the Ordinary of the place where the novitiate was located and the requirements of law have been observed.

19. With the consent of their council and after previous consultation with the local Ordinary, to confirm local superiors for a third term of three years.

II. *As regards the extension, subject, and use of these faculties, these declarations are made:*

1. The above-mentioned faculties refer to clerical religious institutes of pontifical law of any rite whatever which depend on any Sacred Congregation whatever of the Apostolic See.

2. The above-mentioned faculties must be considered as granted also to Superiors General of clerical societies of pontifical law living in common without public vows (cf. Lib. II, cap. XVII of the Code of Canon Law). The faculties reported under numbers 9 and 14 must be considered as granted also to Superiors General of Secular Institutes of pontifical law; the remaining faculties, however, the Superiors General can use for only those cleric-subjects who are not incardinated in some diocese.

3. The subject of these same faculties is the person who is Superior General or Abbot President or the person who in defect of them, for the interim and by approved constitutions, succeeds them in government.

4. If the Superior General or the Abbot President is impeded in the discharge of his office, he can subdelegate those same

faculties totally or partially to the religious who functions in his stead and who, as a result, can himself use the faculties and also again subdelegate them to others in individual cases and within the limitations and clauses set down above.

5. This decree, however, shall begin to be operative from the 21st day of November of this year and needs no formula of execution, as it is called.

From the quarters of the Secretariate of State of His Holiness, on the 6th day of November, 1964.

Hamlet John Cardinal Cicognani

AAS 59-374; See. St., Rescript, 6 Nov., 1964. .Annotations in *Commentarium pro Religiosis,* 44 (1965)–S–26; 106-114; 210-224 (Gutierrez); 27-84; 115-119 (Tins Pong Lee); 119-142; 243-247 (Torres); 305-312 (Larraona); 225-242 ; 313-324 (Fuertes); 324-344 (Ochoa); *Facultates Religiosorum* (Buijs-Pont. Univ. Gregoriana, 1065) ; *Revue des Communautés Relig.,* 37 (1965)–106–112 (De Bonhome).

Note: An earlier (4 Nov., 1964) edition of this list of faculties was also published (cf. French version in *La Documentation Catholique,* 61 [1964]-17O7-1711) which differed somewhat from the list given above. Corrections of that first list were made later (cf. *La Documentation Catholique,* 62 [1965]-25) so that it now agrees with the above text.

Change in Text of Rescript *"Cum Admotae,"* n. 16 (S. C. Rel.) Private.

The following letter was sent by Cardinal Antoniutti, Prefect of the Sacred Congregation of Religious, to the President of the Roman Union of Superiors General.

Reverend Father President:

Some members of the Roman Union of Superiors General have applied to this Sacred Congregation asking for a practical interpretation of the text of article 16 of the faculties granted to Major Superiors by the Pontifical Rescript *"Cum admotae"* of 6 November, 1964, which reads: ›

With the consent of their council, to grant their simply professed subjects who reasonably request it, the faculty to cede the property of their patrimony for a just cause with exception of

property necessary for the support of the religious in case of departure from the religious institute.[*]

In the last Audience which His Holiness deigned to give me on the fifth of this month. His Holiness, after having heard the reasons advanced by some Superiors General for asking for a clarification of this article, decreed that the text should be interpreted as follows:

IP/7Λ *the consent of their council, to grant their subjects professed of simple perpetual vows, who request it, the faculty to cede their patrimonial property for a just cause and without prejudice to the norms of prudence.*

I will appreciate your communicating the gracious decision of His Holiness to the Superiors concerned.

Devotedly yours in Christ,

I. Cardinal Antoniutti
Prefect

(Private); Prefect of S. C. Rel., Letter, without date, to the President of the Roman Union of Superiors General. Reported in *Commentarium pro Religiosis,* 44 (1965)-300-301.

Faculties of Superiors General of Pontifical Lay Religious Institutes (S. C. Rel., 31 May, 1966) AAS 59-362.

The Sacred Congregation for Religious issued the following decree, *Religionum laicalium.*

The Sacred Congregation for Religious has carefully weighed the requests presented by lay religious institutes both of men and of women asking that they may enjoy certain faculties delegated to the Superiors General of clerical institutes by the pontifical rescript of 6 November, 1964,[1] insofar as these faculties are not connected with the clerical character. After having referred the matter to the Supreme Pontiff, Paul VI, in virtue of the powers granted by the Supreme Pontiff himself, the Sacred Congregation for Religious has deigned to make the following decisions in order to give a deserved testimonial of its good will to these institutes and likewise to facilitate their internal government.

[1] Reported above, p. 150
[1] Reported above, p. 147.

I. *The subjoined jaculties arc granted to the Superiors General oj pontifical law lay religious institutes both oj men and oj women:*

1. With the consent of their council, to dispense candidates for the religious life from the impediment of illegitimacy provided they be not born of a sacrilegious or adulterous union.

2. For a just cause and with the consent of their council, to allow the property of the institute to be alienated, offered as security, mortgaged, loaned, or perpetually leased,[2] and also to permit moral persons of their institute to contract debts up to the amount proposed by the National or Regional Conference of Bishops and approved by the Holy See.

3. To obtain a dispensation from temporary vows for their subjects who request it, from the local Ordinary of the house to which the petitioner is assigned.

4. With the consent of their council, to permit their subjects to be absent, for a just cause, from their religious house but not beyond a year. If this permission is given because of ill health, it can be granted for as long as the need perdures. If it is given for the sake of engaging in works of the apostolate, it can be granted, for a just cause, even beyond a year, provided that the apostolic works engaged in are in conformity with the purposes of the religious institute and that the norms of both common and particular law are observed.

With the consent of their council, they can subdelegate this faculty to other major superiors, who, however, cannot use it except with the consent of their own council.

5. With the consent of their council, for a just cause, and without prejudice to the norms of prudence, to grant to their simply professed subjects who request it, permission to give away goods belonging to their patrimony.

With the consent of their council, they can subdelegate this

[2] Translator's Note: *Emphyteusi redimi,* i.c., to enter a contract of emphyteusis. This type of contract is unknown in Anglo-American law. Its closest parallel in American law is a ninety-nine year lease. The redemption of the rental is almost equivalent to the exercise by the lessee of an option of purchase which, upon payment of a lump sum, transfers to him the full legal title and relieves him of the obligation of further annua' payments of rental. (Cf. Canon Law Digest, 1, pp. 732-733.)

faculty to the other major superiors, who, however, cannot use it except with the consent of their own council.

6. To allow their subjects to change their will. With the consent of their council, the}' can subdelegate this faculty to the other major superiors of the same religious institute.

7. With the consent of their council, to transfer, either perpetually or temporarily, the location of a novitiate already erected according to the norms of law, to another house of the same religious institute, provided notice has been given to the local Ordinaries having an interest in the matter, and the requirements of law have been observed.

8. With the consent of their council, and after previous consultation with the local Ordinary, to confirm local superiors for a third term of three years.

9. For a just cause, Superioresses General of Orders of Nuns can dispense individual nuns from the obligation of reciting the Divine Office when they have been absent from choir, or to commute this obligation into other prayers. With the consent of their council, they can subdelegate this faculty to the superioresses of individual houses.

The same faculty is likewise granted to all the superioresses of autonomous monasteries of nuns.

II. *As regards the extension, subject, and use oj these jaculties, these declarations are made:*

1. The above-mentioned faculties refer to non-clerical religious institutes of pontifical law.

2. The above-mentioned faculties must be considered as granted also to Superiors General of pontifical law Societies living in common without public vows (cf. Book II. chap. XVII of the Code of Canon Law). The faculties reported under numbers 2 and 3 are also granted to Superiors General of Secular Institutes of pontifical law provided the necessary adaptations are made.

3. The subject of these same faculties is the person of the Superior General or of the Superioress General, or the person who in defect of these succeeds them for the interim in the government of the institute according to the approved constitutions. /\s regards the faculty mentioned at the end of number 9,

it is the person of the superioress of the autonomous monastery who is the subject of the faculty, and, in defect of her, the person who succeeds her for the interim government.

4. If the Superior General or the Superioress General is impeded in the discharge of his or her office, these faculties can be subdelegated totally or partially to some member of the religious institute who functions in his or her stead and who, as a result, can personally use the faculties and can also again subdelegate them to others in individual cases within the limitations and clauses set down above.

5. This decree becomes effective immediately' and needs no formula of execution, as it is called.

From the office of the Sacred Congregation for Religious, 31 May, 1966.

/s/ I. Card. Antoniutti
Prefect
/s/ Paul Philippe
Secretary

AAS 59-362; S. C. Rcl., Decree, 31 May, 1966. The Latin text appearing in .4/1S differs in faculties 7 and 9 from the text given in the original rescript, No. S. R. 1445/64, which can be found in *Commentarium pro Religiosis,* 45 (1966)–252–254.

Limit Values for Alienations and Debts in Currencies of Various Nations (Private).

Argentina	15.000.000	pesos
Belgium	2.500.000	Belgian francs
Bolivia	15.000	U. S. dollars
Brazil	15.000	U. S. dollars
Chile	50.000	U. S. dollars
Colombia	500.000	Colombian pesos
Cuba	50.000	U. S. dollars
Dominican Republic	100.000	U. S. dollars
Ecuador	25 000	U. S. dollars
England	100.000	pounds sterling
France	500 000	new francs
Germany: for alienations	500.000	marks
for loans	1.000.000	marks
Honduras	50.000	lempiras
Ireland	50000	pounds sterling
Italy	30 000 000	lire
Luxembourg	2.500.000	Belgian francs

Malta	100.000	pounds sterling
Netherlands	60.000	guilders
Nicaragua	30.000	U. S. dollars
Panama	30.000	U. S. dollars
Paraguay	10.000	U. S. dollars
Peru	1.500.000	soles
Philippines	100.000	pesos
Portugal	500.000	escudos
Puerto Rico	100.000	U. S. dollars
Scotland	50.000	pounds sterling
Spain	1.000.000	pesetas
Switzerland	500.000	Swiss francs
Uruguay	50.000	U. S. dollars
Venezuela	70.000	bolivars

The rescript *Cum admotae* of 6 Nov., 1964 (reported above under this same canon), n. 9, provides that Superiors General of pontifical *clerical* religious institutes, with the consent of their council, can permit alienations and the contracting of debts up to the sum of money determined by the national or regional Conference of Bishops for the respective countries and approved by the Holy Sec. The above are the amounts so determined and approved. The same amounts hold good also for Superiors General of pontifical *lay* religious institutes (decree of S. C. Rel., 31 May, 1966, n. 2 reported above under this same canon).

This information is taken from *Commentarium pro Religiosis,* 45 (1966)–255.

This same schedule of values applies to resident Bishops using the faculty given them by the *Motu proprio, Pastorale munus,* n. 32 (30 Nov., 1963; AAS 56-5; reported below, p. 370).

CANON 80

Dispensation: Scope of term. See c. 329; AAS 58-469, IV.

CANON 81

Dispensation from General Laws. Sec c. 222, Decree on the Pastoral Office of Bishops, n. 8. Also c. 329; AAS 58-467, II.

CANON 84

Dispensation: Legitimate cause, spiritual good of the faithful. See c. 329; AAS 58-469, VIII.

BOOK II

PERSONS

Canons 87 -725

BOOK II

PERSONS

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CANON 87

Who Are Members of the Church? Paul VI, Allocution to General Audience, 1 June, 1966; reported in *L'Osservatore Romano,* 2 June, 1966; English version in *The Pope Speaks,* 11 (1966)–372–374.

CANON 94

Dispensation: Subject determined bv domicile or other title. See c. 329; AAS 58-469, VII.

CANON 98

Determination of Rite of Schismatic Converted to Catholic Church (S. C. Eccl. Or., 4 Jan., 1952) Private.

In a letter dated December 1, 1951, Your Excellency asked a clarification in the matter of the rite of schismatics who return to the unitv of the Church.

May I inform you that it is the usual practice, when a schismatic returns to the unity of the Catholic Church, that he keeps the Oriental Catholic Rite which corresponds to that which he practiced in schism.

However, it is in his right to choose *in actu conversionis* another rite, and if he wishes, even the Latin rite. Since this is so, the fact should be accurately noted in the paper which the interested party signs at the moment in which he makes the abjuration of his errors; it should also be noted, in the best way possible, in the Baptismal Book.

These are the two general rules which are ordinarily observed.

With regard to women who change rite at the time of marriage, they may, by the very fact of the marriage, contract to follow the rite of the husband. However, if the husband is a dissident, the wife must continue to practice her own Catholic Rite (Latin or Oriental, whichever may be the case). As additional information, I am inclosing a separate sheet on which you will find certain extracts from official documents of the Holy See regarding this particular matter.

May T take the occasion of this present letter to thank \our Excellency' for his interest in the Oriental faithful who reside in his Archdiocese.

(Private); S. C. Eccl. Or., 4 Jan.. 1952, Prot N. 1082-32; copy of original English text kindly sent us by the Rt. Rev. Msgr. Timothy P. O'Connell, *Officialis* of the Diocese of Worcester, in connection with case reported in this volume, p. 633, Holy Office, 14 Feb., 1962.

CANON 108

Permanent Diaconate. See c. 973; AAS 59-697.

Sacred Congregation for the Clergy: Establishment and competency. See c. 242; Paul VI, Ap. Const., 15 Aug., 1967, nn. 65-70.

CANON 111

Association of Priests: Chicago: constitution adopted 24 Oct., 1966; text in *Catholic Mind,* 65 (Jan., 1967)–55–59.

Excardination and Incardination: Norms of law to be revised. Sec c. 222, Decree on the Ministry and Life of Priests, n. 10.

CANON 114

Incardination: Priest working in another diocese, norms for. Sec c. 222, *Motu proprio, 6* Aug., 1966, I, 3, §§ 4 and 5; AAS 58-757.

CANON 121

Military Service: Admission to perpetual vows. See c. 574; S. C. Rd 22 May, 1964.

CANON 126

Cursillos de Cristianidad: Apostolic Letter of Paul VI praising the good results being obtained through these exercises, and naming the Apostle Paul as Patron of the movement, 14 Dec., 1963 (AAS 56-524).

International meeting in Rome. Allocution of Paul VI, 28 May, 1966 (AAS 58-500).

CANON 129

The Priest and the Intellectual Life: Address of Archbishop Pellegrino to the members of Vatican Council H's final session; English version in *Furrow,* 17 (1966)-265-268.

Universities and Associated Residences: Authority of local Ordinary over religious at. See c. 500; S. C. Rd., 11 Jan., 1967; U. S. Apost. Del., 24 Jan., 1967.

CANON 132

Celibacy: Dispensation reserved to Holy See. See c. 329; AAS 5S-469, IX. 1.

Encyclical on priestly. Paul VI, 24 June, 1967 (AAS 59-657). English version in *Catholic Mind,* 65 (Oct., 1967)—lo-65; *The Pope Speaks,* 12 (1967)–291–319; *The Priest,* 23 (1967)-623-654.

Examples of grant of dispensation. See c. 1072.

Letter of Paul VI in Vatican II: Discussion in Council not opportune. Sec c. 222; Letter, 11 Oct., 1965, read at 146th General Congregation.

Statement by U. S. Bishops, 16 Nov., 1967; reported in *Catholic Mind,* 66 (Jan., 1968)-6-7.

Studies on priestly celibacy: a scries of articles treating: a) the elements contained in Vatican II documents; *b)* documents of the *magisterium* prior to Paul Vi's encyclical; c) the structure of the encyclical; *d)* various theological developments regarding priestly celibacy; *e)* bibliography of articles in Italian, Spanish, French and Dutch on priestly celibacy before and after Vatican II. Scries appears in *Seminarium, T* (1967)-681-836.

CANON 135

Commutation of Divine Office for Sea Travellers (S. C. Cone., 22 Jan., 1963) Private.

The Bishop-President of the St. Raphaelsvereins had his faculty renewed for five years whereby he can permit priests who are members of the said society and who undertake a voyage "that for the duration of the sea trip only, they may recite the rosary or other prayers as often as they cannot recite the Divine Office because of a lawful impediment or serious difficulty."

(Private); S. C. Cone., 22 Jan., 1963, Prot. No. SO 170/D; reported in *Archiv. fur katholisches Kirchenrecht,* 132 (1963)–159.

Latin to Be Retained in the Divine Office (Paul VI, Letter, 15 Aug., 1966) Private.

A letter of Paul VI to the Superiors General of clerical Institutes of the Latin rite bound to choir duty, dated August 15, 1966, and beginning with the words *"Sacrificium laudis"* expresses grave concern over the diminished use of Latin in the Divine Office and the supplanting of Gregorian chant with modern hymns. The following is a summary of the letter, with some salient parts indicated as direct quotations.

"We have learned from letters received from some of you and from many other sources of information that your houses or provinces — We are speaking only of those which belong to the Latin rite — have introduced variant practices in the performance of the sacred Liturgy. Some are tenaciously attached to Latin; others demand the vernacular in choir service; here and there some would change the Gregorian chant for hymns of modern composition. Some have even demanded earnestly that Latin be entirely abandoned. We must admit that these demands have disturbed Us and caused Us some sorrow; and the question presents itself: whence comes this attitude of mind, this distaste hitherto unheard of? Why has it been allowed to spread?"

In the next paragraph the Pope professes his love and high esteem for the Institutes to which the letter is addressed. He

would be happy to grant any request that would truly advance their interests.

But he then proceeds to cite the norms of law since the Second Vatican Council:

The Constitution on the Sacred Liturgy:[1] "In virtue of the century-old tradition of the Latin rite, clerics in reciting the Divine Office should keep to the Latin language."

The Instruction for Implementing the Constitution, 26 September, 1964,[2] n. 85: "In the celebration of the Divine Office in choir, clerics are bound to retain the Latin language."

Finally, the Instruction of 23 November, 1965,[3] confirming the same rule: "Clerical Institutes bound to choir are obliged to celebrate the Divine Office in Latin, according to art. 101, 1 of the Constitution on the Liturgy and n. 85 of the Instruction of 26 September, 1964, for implementing the said Constitution" (I, i).

His Holiness then continues as follows: "Consequently, until a different rule is legitimately established, these laws are in effect. They demand observance, and it is right that Religious, dear sons of the Church, should be the first to gain this merit of obedience."

In several successive paragraphs the Pope dwells on the beauty of the liturgy and the many advantages of keeping to the traditional practice. He continues:

"However this may be, dear sons, the postulations that have been mentioned concerned matters of such grave importance that We cannot grant them in derogation of the norms of the Council and of the Instructions."

He concludes the letter with words of exhortation and the Apostolic Blessing.

(Private) ; Paul VI, Letter, 15 Aug., 1966. *Notiliae, 2* (1966)–252–255.

Divine Office in the Vernacular (Cone. Com. Lit.) Private.

Question: When the divine Office is celebrated by a religious community, is it allowed to recite in the vernacular those parts of the Office in which the lay religious take part?

1 Reported above, p. 32.
2 Reported above, p. 73.
3 AAS 57-1010, reported above, p. 117.

Reply: The Instruction *"In edicendis normis"*[1] states: "Clerical religious communities who are not bound to choir may recite in common in the vernacular those parts of the Divine Office in which the lay religious also are bound by the Constitutions to take part."

Two different cases may occur:

1. When the lay religious are expressly bound by the Constitutions to recite the Divine Office.

2. When certain Hours of the Divine Office take the place of other prayers prescribed by the Constitutions, in which the lay religious must take part.

For the Constitutions of religious families sometimes prescribe certain prayers to be recited in common by all the members, clerical and lay, at certain hours of the day, for example, morning, noon, and evening. Now in some of these Communities, by order of Superiors, instead of the prayers prescribed by the Constitutions, Lauds and Vespers or Compline are prescribed for all as morning and evening prayers. In this case, if the lay religious take part in the common celebration, the vernacular may be used *(Notitiae, 2* [1966], 90 Z>). The text, however, must always be approved by the competent territorial authority.

(Private); Conciliar Liturgical Commission; reported without date in *Notitiae, 2* (1966)-289-29O. Annotations: *Maison-Dieu,* 85 (1966)-206-211 (Gy); *Priest, 22* (1966)-839-842 (O'Connell).

Choral Recitation of the Divine Office. See c. 610; Paul VI, Apostolic Letter, 15 Aug., 1966.
Divine Praises in Oriental Church. See c. 1; Cone. Vat. IL, 21 Nov., 1964, nn. 15, 22.
Faculty to Commute Divine Office. See c. 329; Paul VI, 30 Nov., 1963, n. 26.

[1] This is the Instruction of the S. C. Rit., 23 Nov., 1965. AAS 57-1010, reported above, p. 117.

CANON 136

Ecclesiastical Garb in Italy (C. E. L, 19-20 April, 1966) Private.

The Council of the Episcopal Conference of Italy (C.E.I.) in its session of 19-20 April, 1966, issued the following decision on ecclesiastical garb.

The Episcopal Conference of Italy has considered the timeliness of adapting the ecclesiastical garb — aimed at protecting the dignity of priests — to the exigencies of present-day living and to the new conditions of the apostolate. This action is in conformity with the spirit of canon 136, § 1 of the Code of Canon Law. The Conference desires to guarantee for the priests uniformity of discipline also in this matter for their own personal advantage as well as for the edification of the community. The Conference gives assurance that the habit is retained as the regular garb of the priest and also of religious.

The habit is of obligation: *(a)* in one's church: *(b)* in ecclesiastical institutions; (c) in the functions of the sacred ministry; (J) in liturgical functions, even when held outside a church; (e) when preaching; (/) in the administration of the sacraments and the sacramentals; (g) when teaching religion in school.

The Conference lays down that it gives its consent to all priests to change from the habit to the clergyman garb which consists of a coat and trousers of black (or dark iron-gray) material and the Roman collar. This garb may be worn on occasion of a trip, excursion, use of vehicles for transportation, etc., in other words, when convenience requires it in a secular form of action.

In all occasions and circumstances, inside and outside the diocese and when abroad, such as on the occasion of vacation, the above-mentioned garb, "as the sign of the priesthood," must be worn complete when in public. In this way the result will be a unique and characteristic attire for all priests, and ecclesiastics will always be able to be recognized as such.

Finally, the Episcopal Conference of Italy exhorts priests to bear in mind as regards the use of the clergyman garb, the places, usages, customs, and sensibility of the people. Mindful of the words of the Apostle: "All things are lawful, but not all things are expedient. All things are lawful, but not all things edify"

(1 Cor 10:22-23), they should learn to understand and to hold off until the faithful entrusted to their care have been prepared for the new practice.

(Private); C. E. I., 19-20 April, 1966; reported in *LOsscreatore Romano,* 24 April, 1966, p. 7.

CANON 139

Priest Workers (French Hierarchy, 23 Oct., 1965) Private.

The Bishops of France, after their Plenary Assembly in Rome, 23 October, 1965, published the following communication.

The Episcopate of France, with the consent of the Holy See, proposes to authorize a small number of priests to work full time in factories and yards, after a suitable period of preparation.

This authorization for manual wage-work, actually very limited in number, is proposed for an initial period of three years.

It is an essentially priestly mission, given to priest workers: like all priests these are dedicated to the announcement of the Gospel.

Hence the choice of these priests must satisfy certain precise requirements: aptitudes, appropriate training, common life, close relations with other priests and with militants of the Workers' Catholic Action of the sector in which they are employed.

A Priest Worker may join a union but, knowing as he does that tasks aiming at temporal goals belong primarily to militant workers, he will abstain from accepting responsibilities in unionist and political action at any level whatever.

This project will be under the jurisdiction of the Episcopal Committee of the *"Mission Ouvrière"* which has been empowered by the Hierarchy to follow this first stage of the movement.

(Private): French Hierarchy; communication, 23 Oct., 1965, reported in *Documentation Catholique,* 62 (1965)–1989.

Note: The best commentary on this document is a press conference given to the French journal *La Croix,* 26 October, by Archbishop Veuillot, Coadjutor of Paris and President of the Episcopal Committee *"Mission Ouvrière."* This interview is published immediately after the text. Cf. *Documentation Catholique,* 62 (1965)-1990-1994.

Priest Workers: Conditions for the New Experiment in France (Auxiliary Bishop of Lyons, 18 Feb., 1966) Private.

In the discussion following a lecture on February 18, 1966, Bishop Alfred Ancel, Auxiliary of the metropolitan see of Lyons, revealed specifically the conditions under which the Holy See gave permission for a new experiment with the Priest Workers in France:

1. The priests must renounce all responsibility for syndicalist (labor union) activity.

2. They are not to live alone but in pairs or groups and together with the other priests, so as to avoid contrast between two categories of priests.

3. In places where these priests are working there should at the same time be some lay workers, members of the Workers' Catholic Action, so that the Church may appear to the workers as she really is: the laity with their temporal engagements and the priests with their spiritual engagement; the whole Church present for service to the world, but with a distinct mission for the laity and for the priests.

(Private) ; Bishop Ancel, Auxiliary of Lyons, IS Feb., 1966.

Note: In the earlier experiment with the Priest Workers, Bishop Ancel had obtained permission to go to work with them, and he tells of this experience in his book, *"Cinq ans panni les ouvriers"* (Centurion). This report is taken from *Documentation Catholique,* 63 (1966)–1246. Besides the communication from the French hierarchy of 23 October, 1965, reported above under this canon, see Canon Law Digest, 4, p. 97 and 5, p. 200.

CANON 142

Negotiatio: Dispensation reserved to Holy See. See c. 329; AAS 5S–469, IX, 3, *d.*

CANON 160

Conclave and Election of Paul VI: The election was announced from the balcony of Saint Peter's on Friday, 21 June, 1963, feast of the Most Sacred Heart of Jesus, at 12:12 p.m. (AAS 55-569). The *Acta Apostolicae Scdis* for 1 August, 1963 (AAS 55-585-644), contain a de-

tailed record and description of the Conclave and of other events closely related to the election of Paul VI: the preparatory general congregations, the list of officials, the arrangements for the closure, the number of Conclavists (one only for each of the 82 Cardinals), the *oratio de eligendo Summo Pontifice* by Monsignor Tondini, the decree of the Cardinal Vicar of Rome ordering prayers to obtain the divine light for the voting Cardinals, the entry into the Conclave, the dispositions for the prelates in charge of the custody, the list of the Cardinals present, the internal and external closure of the Conclave, regulations as to vestments, prescriptions for the order of the Conclave, the record of the election of Paul VI and his acceptance, the blessing of the Cardinals by the Pope, the so-called *"adoratio"* by each of them, the conferring of the Ring of the Fisherman by the Dean of the Sacred College, the announcement of the election from the balcony of Saint Peter's, the reopening of the Conclave, the homily pronounced by the Pope at the Mass of Coronation, the Coronation in the presence of the throngs in the Piazza of Saint Peter's and beyond, the Holy Father's blessing from the balcony, his return to the *"Aula Paramentorum"* to receive the congratulations of the Cardinals, a list of the representatives of various nations, heads of States, and Princes and Princesses of royal families who were present, the address of the Holy Father in the Sistine Chapel on 1 July, 1963, to the members of various Legations, and finally the *curriculum vitae* of Paul VI and a reproduction of his coat of arms (AAS 55-585 to 644). English version of coronation homily in *The Pope Speaks,* 9 (1963–64)–5–11.

Death of John XXIII, 3 June, 1963, 7:49 p.m. (AAS 55-433). Detailed information on his last illness, death, funeral, last will and testament, the representatives from various countries who were present at the funeral, the testimonials received from various governments and distinguished personages (AAS 55-465 to 566).

Privileges of Conclavists in conclave which elected Paul VI. *Molu proprio,* 2 July, 1963 (AAS 55-665).

CANON 167

Active Voice Conferred Where Particular Law Had Debarred (S. C. Rel., 11 June, 1965) Private.

Petition. The Abbot General of the Order of Reformed Cistercians, prostrate at the feet of Your Holiness, humbly requests the concession of active voice in the election of an abbot or abbess:

1. for all lay brothers *(conversis)*;
2. for all lay Sisters *(conversis)* of solemn vows (or of simple vows in some monasteries of nuns), for the reasons presented to the S. C. for Religious.

Reply. In virtue of faculties granted by our Holy Father, the Sacred Congregation for Religious, after attending to the recitals, graciously grants the favor as requested, with due observance of all other requirements.

(Private); S. C. Rd., 11 June, 1965; reported by the 1965 Committee on Research of the Canon Law Society of America.

CANON 183

Pastor: Removal, transfer, resignation. Sec c. 222, *Motu proprio,* 6 Aug., 1966, I, 20; AAS 58-757.

CANON 213

Celibacy: Dispensation reserved to Holy See. See c. 329; AAS 58-469, IX, 1.

CANON 214

Celibacy: Dispensation reserved to Holy See. See c. 329; AAS 58-469, IX, 1.

CANON 215

Diocesan Boundaries: Revision. See c. 222; *Motu proprio,* 6 Aug., 1966, I, 12; AAS 58-757.

Minneapolis: Church of Our Lady (a minor basilica) made Co-Cathedral; name of Archdiocese changed to St. Paul-Minneapolis. S. C. Consist., II July, 1966 (AAS 58-664).

CANON 216

Faculty Granted to Modify Parish Boundaries to Promote Integration of Races (S. C. Cone., 24 Sept., 1966) Private.

Petition: The Bishop of Little Rock humbly submits to Your Holiness the following.

According to the faculty granted on 12 August, 1948, by the Sacred Congregation of the Council with rescript n. 4743/48, ten personal parishes for Negroes were established in the diocese.

Since that time, there has been a vast social change in the

United States in regard to the members of the Negro race. In order to strive for the desired integration of the Negro people, the Bishop requests of Your Holiness the faculty, concerning these parishes, (1) to suppress completely, or (2) to join to another parish, or (3) to change the present Negro parish to a regular territorial parish.

It is my strong desire to continue with special efforts in the apostolate for Negroes. While I fear that the elimination of these special parishes for them may tend to lessen the work of this apostolate, I feel that the present situation in our country and in our diocese makes it advisable that the parishes designated for Negroes be eliminated *as such*. Since I am not certain that I would have the power to effect this under the provisions of the *motu proprio, De Episcoporum Muneribus,*[1] I therefore request Your Holiness to consider my petition.

Reply: After attending to the recitals, the Sacred Congregation of the Council grants the Bishop-petitioner the faculty to make provision in each case as he judges more expedient in the Lord after he has heard his diocesan consultors and observed the other requirements.

Given at Rome, 24 September, 1966.

(Private); S. C. Cone., 24 Sept., 1966, Prot. No. 107704/D; copies of the documents kindly sent us by the V. Rev. Msgr. Lawrence P. Graves, *Officialis* of the Diocese of Little Rock.

Boundaries of Ecclesiastical Province or Region. See c. 222, *Motu proprio,* 6 Aug., 1966, I, 42; AAS 58-757.

Parishes: Power of Bishops to erect or suppress. See c. 222, Decree on Pastoral Office of Bishops, n. 32.

CANON 218

Peace: International John XXIII Foundation Established (John XXIII, Chirograph, 10 May, 1963) AAS 55-579.

Wishing to show once more Our appreciation of the fact that the Peace Prize for 1963 was conferred by the International E. Balzan Prize Foundation upon the Head of the Catholic Church, and in Our fervent and confident desire that Peace be estab-

[1] Reported in this volume, p 394.

lished among men and nations by living together in truth, justice, love, and liberty (Encyclical Letter, *Pacem in terris,* 11 April, 1963), We have decided to found also on Our part a Peace Prize, for which We decree and promulgate the following

STATUTE

Article I

Constitution — Juridical Personality — Seat

The "John XXIII Foundation for an International Peace Prize" is hereby established.

The Foundation has its own juridical personality and its seat in Vatican City, and the power to establish administrative Offices in the territories of the Swiss Federation and of the Republic of Italy, and also in the territories of other States.

Article II

Purpose

The purpose of the Foundation is to encourage initiatives in favor of true peace and brotherhood among men and nations through the award of periodic prizes.

Article III

Patrimony

The patrimony or endowment of the Foundation is made up of the amount of the Balzan Peace Prize for 1963 and of the gifts *inter vivos* and *mortis causa* which will come to the Foundation.

Article IV

Organization — Representation

The organs of the Foundation are:

J) The Council, composed of Our Cardinal Secretary of State for the time being, who presides over it and is the legal representative of the Foundation, and four other members named by Us for a period of three years.

B) The Secretariate, organized and directed by the Council, which appoints the Secretary and his collaborators.

Article V

The Award of the Prize

The Prize of the Foundation is distributed every three years.

Agreements will be concluded with the E. Balzan International Peace Foundation to the effect that the said Foundation shall not award its own Peace Prize in the same year as the John XXIII Peace Prize is given.

Article VI

The Council will issue the regulations for the functioning of the Foundation.

This Chirograph shall be published in the *Acta Apostolicae Sedis.*

Given from Our Apostolic Palace in the Vatican, the 10th day of May in the year 1963, the fifth of Our Pontificate.

AAS 55-579; John XXIII, Chirograph, 10 May, 1963.

Paul VI to the President of Ireland, Eamon de Valera (Allocution, 2 July, 1963) AAS 55-650.

Mister President,

As We greet you today with a heartfelt welcome, We recall with the happiest of memories Our own visit to Our beloved Ireland, and Our meeting there with Your Excellency. The vision of your Island of Saints and Scholars glows brightly in Our heart, illuminated above all by the unflinching fidelity of its people to this Apostolic See, in spite of dungeon, fire, and sword.

Indeed, the high winds raised by these and other difficulties merely fanned into more brilliant flame the fire of Faith enkindled by Saint Patrick, giving rise to a most fervent spiritual and religious life in your own land, and a burning zeal for the conversion of souls and the spreading of the Kingdom of our Lord Jesus Christ to every corner of the earth.

So ardent is the faith of the Irish that they not only provide their own dear Island with sufficient vocations, but also give of their choicest and best to leave home and country and to work as priests, as Brothers and Sisters in the most difficult fields of apostolic endeavor. Innumerable are the missionaries who left your shores to bring the light and warmth of the Gospel to those sitting in darkness and in the shadow of death; incalculable the harvest of souls they gathered in the white fields of the missions.

Our knowledge of your marvellous history, and Our personal experience of the warm, friendly, generous heart of the Irish, combine to strengthen Our paternal affection and special benevolence toward the Emerald Isle and its people. Through your good offices, Mister President, We send them a most loving blessing, and We pray that God and Mary love them, and ever prosper and protect the Irish nation. To Your Excellency and your family, to the Government and citizens of Ireland, We impart from Our heart Our particular affectionate Apostolic Benediction.

AAS 55-650; Paul VI, Allocution, 2 July, 1963.

Paul VI to President John F. Kennedy (Allocution. 2 July, 1963) AAS 55-649.

Your Excellency,

With great joy do We welcome Your Excellency to the Vatican, recalling with true happiness Our first meeting almost twenty-five years ago, when, as a young man. you accompanied your parents to the coronation of Pope Pius XII, Our venerated Predecessor of happy memory. We remember, too, with particular satisfaction, the many pleasant occasions on which We received your honorable Father.

Your Excellency now comes once again, this time as the President of that noble nation, the United States of America. We have visited your beautiful land, and as We travelled from one great city to another, We were able to experience personally the many admirable qualities which have made yours a leading member of the family of nations. The warm and sincere hospitality which was extended to Us wherever We went has left upon Us a lasting impression. The many churches that dot the

American countryside and the spires reaching high over the cities are indicative of the spiritual awareness and convictions of your people. We witnessed the industry, the imagination, and the dedication which have transformed the vast riches of your natural resources into a very high standard of living for your citizens. Nevertheless, in the midst of this hard-won abundance, your country has not forgotten the high ideals of its first beginnings, nor neglected the poorer nations, and especially those new emerging states which are striving to give their people the benefits of freedom under law. At no little cost, the United States has extended to all of them a very generous helping hand. This sympathetic understanding and generosity cannot but generate a lasting friendship built on mutual respect and bring additional blessings upon the citizens of your land.

These past few years have seen impressive developments in the exploration of space to which the United States has made notable contributions. May these undertakings take on a meaning of homage rendered to God, Creator and Supreme Lawmaker. Because they augur so much for the benefit of mankind, may they be indicative of true and peaceful progress which would bring men together in a closer relationship of universal brotherhood.

This is what We hear often in the discourses of Your Excellency, how with candor your words recall the higher moral principles of truth, of justice, and of liberty. We find a spontaneous harmony with that which Our Venerable Predecessor, Pope John XXIII, said in his last Encyclical Letter, *Paceni in terris,* when he presented anew to the world the Church's constant teaching on the dignity of the individual human person, a dignity which the Almighty Creator bestowed in creating man to His own image and likeness. We are ever mindful in Our prayers of the efforts to ensure to all your citizens the equal benefits of citizenship, which have as their foundation the equality of all men because of their dignity as persons and children of God.

The untiring striving to obtain world peace is to be commended highly, and We are confident that these labors will find a ready response in all men of good will. Universal peace in charity and justice can be achieved, and We feel that the efforts of the United States will bear fruit and help to secure for

all peoples of this troubled world that peace which will enable them to prosper and to enjoy the blessings which God intends for them. To this end, following the example of Our Predecessors, We too are dedicating Our prayers, Our energies, and Our life.

We extend to you a heartfelt welcome, and through Your Excellency We wish to send Our greetings to Mrs. Kennedy, to your family, and to all the citizens of your country, invoking upon them the abundant blessings of God.

AAS 55-649; Paul VI, Allocution, 2 July, 1963.

Paul VI to U Thant, Secretary of the United Nations (Allocution, 11 July, 1963) AAS 55-652.

Sir!

The organization of the United Nations, of which you are the renowned and efficient Secretary General, is a historical reality of too great importance to leave Us indifferent to this meeting with you, which is on the contrary a source of lively emotion.

This is because, Mister Secretary General of the United Nations, the Holy See, which you are visiting today in Our humble person, holds a very high conception of that international organism; it considers it to be the fruit of a civilization to which the Catholic religion, with its driving center in the Holy See, gave the vital principles; it considers it an instrument of brotherhood between nations, which the Holy See has always desired and promoted, and hence a brotherhood intended to favor progress and peace among men; it considers the United Nations as the steadily developing and improving form of the balanced and uniform life of all humanity in its historical and earthly order.

The universality proper to the Catholic Church, with its pulsing heart here in Rome, seems in a way to be reflected from the spiritual sphere into the temporal sphere of the United Nations. The ideologies of those who belong to the United Nations are certainly multiple and diverse, and the Catholic Church regards them with due attention; but the convergence of so many peoples, so many races, so many States in a single organization, intended to avert the evils of war and to favor the good things

of peace, is a fact which the Holy See considers as corresponding to its concept of humanity, and included within the area of its spiritual mission in the world.

In recent years the voice of the Popes, Our Predecessors, was among the first to augur the formation of a body such as that of which you, Mister U Thant, guide the activities. In his own time, Pope Benedict XV desired it; its fundamental criteria were traced with happy foresight by Pope Pius XII in his Christmas message of 1939 and that of September, 1944; then its importance was underlined and its increasingly perfect functioning was encouraged by Pope John XXIII in his last Encyclical Letter, *Paccm in terris,* the text of which, bearing the autograph signature of the Pontiff, was consigned to you, Mister Secretary, by Cardinal Suenens.

We therefore derive consolation from your visit, and We avail Ourself of the occasion to renew the expression of Our esteem and of Our hopes for the fundamental program of the United Nations, especially in regard to the elimination of war, the assistance of developing peoples, and of those in need of defense and promotion, the lawful liberties of individuals and social groups, and the safeguarding of the rights and dignity of the human person.

To these sentiments then We add Our good wishes for the true prosperity of the great organization of the United Nations, and for the happy success of its activities, to which you, Sir, are so nobly dedicated.

We pray Almighty God, Our heavenly Father, to grant and fulfill these Our good wishes.

AAS 55-652; Paul VI, Allocution, 11 July, 1963.

Note: From 24 June to 24 July 1963, Paul VI pronounced eight allocutions. We have reported in full three of them that were spoken in English and are of special interest. The others were: to the diplomatic corps of accredited Legates to the Holy See and their assistants, 24 June, 1963, AAS 55-645; to His Excellency John Goulart. President of the Federated States of Brazil, 29 June, 1963, AAS 55-647; to King Balduin and Queen Fabiola of Belgium. 1 July, 1963, AAS 55-64S; to Leonidas Suzzi-Valli and Stelvius Montinroni, "Captain Regents" of the Republic of San Marino, 3 July, 1963, AAS 55-651; to President Antonio Segni of Italy, 24 July, 1963, AAS 55-654.

Pilgrimage of Paul VI to the Holy Land, January, 4-6, 1964. AAS 56-158.

An accurate summary of this historic event is given in the AAS, volume 56 (1964), pages 158 to 182. We translate the official Latin text describing the successive stages of the journey, in the course of which His Holiness made fourteen public addresses in Italian. French. English, or Latin. These are all given in full in the *Acta Apostolicae Sedis;* we will give here only a reference to each of the speeches, indicating the date, the place, the audience, and the language of the speeches. These references will be repeated at the end of our summary, numbered 1 to 14, with references also to any available English translations.

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On the fourth of January, 1964, the Supreme Pontiff Paul VI began a religious and penitential pilgrimage to Palestine: to offer the Church to Jesus Christ, to recall the separated brethren to the Church, and to implore the divine mercy for peace. Crossing the City by auto with his entourage, he set off in a four-motored plane from Fiumicino Airport at 9 a.m. Before boarding the plane, he delivered an address to His Excellency Antonio Segni, President of Italy who, together with other high officials of the Republic and of the City, had come to salute him at his departure.

1. January 4, 1964: address in Italian to Antonio Segni, President of the Republic of Italy, at Fiumicino Airport outside of Rome (AAS 56-158).

On the same day at 1 p.m., when the plane landed at Amman, the capital of Jordan, where he was courteously greeted by King Hussein at the airport, His Holiness expressed his appreciation by a brief and graceful address in English.

2. January 4, 1964: address in English to King Hussein of Jordan, at the airport of Amman, capital city of Jordan (AAS 56-159).

In the late afternoon of the same day, January 4, His Holiness went by auto to Jerusalem, and before entering the city by the Gate of Damascus, he greeted the Governor and Mayor of Jerusalem and the other persons present, with an address in French.

3. January 4, 1964: address in French to the Governor, Mayor, and citizens of Jerusalem, outside the Gate of Damascus (AAS 56-160).

After entering the city His Holiness followed the route of the Savior's Passion to the Basilica of the Holy Sepulcher, where he celebrated Mass before completing the ascent of Calvary. At this point he exhorted the Prelates and faithful who were present, and with deep emotion prayed ardently to the Lord Jesus Christ for the necessities of all men, and implored His mercv for them ǎll.

Late that same evening, January 4, His Holiness spent an hour — the "holy hour" — in meditation and prayer in the Basilica of the Agony, in the Garden of Gethsemani. But before this, in the Church of Saint Anne, he had delivered an address in French to the Venerable Prelates and Catholic faithful of various Oriental rites.

4. January 4, 1964: address in French to Prelates and faithful of various Oriental rites, in the Church of Saint Anne in Jerusalem (AAS 56-162).

On that same evening, January 4, 1964, at the Apostolic Delegation, Their Excellencies Benediktos, Patriarch of the separated Church of Jerusalem, and Yegheshe Derderian, Patriarch of the separated Church of the Armenians, paid a visit of courtesy to the August Pontiff, and he addressed the former in French, the latter in English.

5. January' 4, 1964: address in French to His Excellency Benediktos, Patriarch of the separated Church of Jerusalem, at the Apostolic Delegation in Jerusalem (AAS 56-163).

6. January 4, 1964: address in English to His Excellency Yegheshe Derderian, Patriarch of the separated Church of the Armenians, at the Apostolic Delegation in Jerusalem (AAS 56-164).

Early in the morning of the following day, January 5, 1964, His Holiness, intending to visit the holy places in Galilee,

For text of these prayers sec AAS 56-370.

proceeded to the city of Nazareth, and upon being greeted there in the territory of Israel by His Excellency Zalman Shazar. President of the Republic of Israel, he expressed his thanks to him by an address in French.

7. January 5, 1964: address in French to His Excellency Zalman Shazar, President of the Republic of Israel, at Nazareth in Israel territory (AAS 56-165).

In the city of Nazareth the Supreme Pontiff, after being received with great acclaim by the populace, celebrated Mass in the Church of the Annunciation of the Blessed Virgin Mary and preached a sermon in French to the people during the Mass.

8. January 5, 1964: sermon in French to the people at Mass in the Church of the Annunciation of the Blessed Virgin Mary in Nazareth (AAS 56-166).

After this His Holiness continued his pious pilgrimage to other holy places of the region, the Lake of Tiberias, the Mount of the Beatitudes, Mount Tabor, Cana, and Capharnaum. In the afternoon he returned to Jerusalem, and upon leaving the territory of Israel he expressed his thanks for the manifestations of regard which he had received, in a speech in French to the officials of the city and others present.

9. January 5, 1964: address in French to the officials of the city of Jerusalem and others, expressing thanks for their cordial reception (AAS 56-170).

In Jerusalem that evening, January 5, His Holiness visited the holy Cenacle and the Church of the "Dormition of Mary." Then he went to the Apostolic Delegation. There His Excellency Athenagoras, Ecumenical Patriarch of Constantinople, approached His Holiness, who welcomed him with great joy and spoke to him in Latin.

10. January 5, 1964: address in Latin to His Excellency Athenagoras, Ecumenical Patriarch of Constantinople, at the Apostolic Delegation in Jerusalem (AAS 56-171).

On the next day, January 6, 1964, feast of the Epiphany, His Holiness, continuing and completing his pious pilgrimage, went in

the morning to the city of Bethlehem and said Mass in the sacred Grotto of the Nativity; he had brought a Golden Rose to be kept there in honor of the Infant Jesus. After Mass he read a message addressed to Christians and to all members of the human race, in Latin.

11. January 6, 1964: message addressed to Christians and all members of the human race, read by His Holiness, in Latin, after his Mass in the Grotto of the Nativity in Bethlehem (AAS 56-173).

Returning to Jerusalem on the same day, January 6, by a route over the Mount of Olives, His Holiness returned to Rome in the afternoon in the same plane by which he had come. Before his departure he was courteously greeted by Hussein, King of Jordan, and responded with an address in English.

12. January 6, 1964: address in English to King Hussein of Jordan before departing by plane from Jerusalem for his return journey to Rome (AAS 56-179).

His Holiness arrived in the evening of January 6 at the airport of Ciampino, where a great number of distinguished clergy and laity were awaiting him, including His Excellency, Antonio Segni, President of the Republic of Italy, who welcomed the returning Pontiff in an address of high distinction. His Holiness replied in Italian.

13. January 6, 1964: address in Italian to His Excellency, Antonio Segni, President of the Republic of Italy, in response to the President's welcome on the Pontiff's return to Rome from the Holy Land, at the Roman airport of Ciampino (AAS 56-180).

Thence the Pontiff returned to the Vatican, passing by auto through the heart of the city. All along the route he was acclaimed by great crowds and joyous songs. At the Colosseum the Mayor of Rome and a group of Officials presented their respects to the "Apostolic Pilgrim." After entering the Vatican Palace he made a brief address of thanks in Italian to the faithful assembled in the Piazza of Saint Peter's.

14. January 6, 1964: address in Italian to the people assembled in the Piazza of Saint Peter's, spoken by His

Holiness after entering the Vatican Palace on his return from the pilgrimage (AAS 56-182).

Summary of the Addresses Made During the Pilgrimage

1. January 4, 1964, Rome, address in Italian to the President of the Republic of Italy (AAS 56-158).
2. January 4, 1964, Amman, address in English to King Hussein of Jordan (AAS 56-159).
3. January 4, 1964, Jerusalem, address in French to the Governor. Mayor and residents of Jerusalem (AAS 56-160).
4. January 4, 1964, Jerusalem, address in French to Prelates and faithful of various Oriental rites (AAS 56-162). English version in *The Pope Speaks,* 9 (1963–64)–297–298.
5. January 4, 1964, Jerusalem, address in French to the Patriarch of the separated Church of Jerusalem (AAS 56-163).
6. January 4, 1964, Jerusalem, address in English to the Patriarch of the separated Church of the Armenians (AAS 56-164).
7. January 5, 1964, Nazareth, address in French to the President of the Republic of Israel (AAS 56-165).
8. January 5, 1964, Nazareth, sermon in French to the people at Mass (AAS 56-166). English version in *The Pope Speaks,* 9 (1963–64)–284–287.
9. January 5, 1964, Jerusalem, address in French to the Officials of the city (AAS 56-170).
10. January 5, 1964, Jerusalem, address in Latin to the Ecumenical Patriarch of Constantinople, Athenagoras (AAS 56-171). English version in *The Pope Speaks,* 9 (1963-64)-280-282.
11. January 6, 1964, Bethlehem, message to Christians and all members of the human race, read in Latin after Mass in the Grotto of the Nativity (AAS 56-173). English version in *The Pope Speaks,* 9 (1963-64)-274-279.
12. January 6, 1964, Jerusalem, address in English to King Hussein of Jordan (AAS 56-179).
13. January 6, 1964, Rome, address in Italian to the President of the Republic of Italy (AAS 56-180).
14. January 6, 1964, \zatican City, address in Italian to the people gathered in the Piazza of Saint Peter's (AAS 56-182).

The Pope in the World of Today: Unity Among Christians (Paul VI. Allocution, 25 Jan., 1964) AAS 56-199.

On January 25, 1964, shortly after his return from his pilgrimage to Palestine, Paul VI addressed the following allocution in French to the members of the Diplomatic Corps at the Vatican.

Your Excellencies, and dear Gentlemen: We are deeply moved by the gracious words We have just now heard, and very grateful for the sentiments which your Dean has expressed with his usual delicacy and in terms so well chosen that it is Our pleasure to congratulate him.

You had desired and asked for this meeting with Us in the wake of Our pilgrimage to the Holy Land, and your wish was an anticipation of Our own. For although since our return opportunities to give Our impressions of this unforgettable journey have not been lacking, it seemed most appropriate that We should make a more official communication to the national representatives who are accredited to the Holy See.

The fact is that this voyage, primarily religious, has had an unexpected impact upon authorities and public opinion, and has consequently assumed world-wide dimensions, which invite Vs to reflect on it for a few moments in the presence of so distinguished an audience.

Why has there been such general interest, and in many cases such genuine and intense emotion, concerning a pilgrimage of the Pope to the Holy Land? Why so many signs of deference and enthusiasm shown by authorities and peoples who for the most part are strangers to the Catholic faith? Does not one see in this spontaneous homage paid to the Head of the Catholic Church the encouraging sign of a desire, an expectancy, an aspiration of the men of our time for the moral and spiritual values which they find represented in the person of the Pope? It is the whole ideal of dignity, of peace, and of brotherhood, so keenly felt by the modern world, "that great current which is incarnate in the Holy See," to use the expression of your Dean

that is what was being recognized and acclaimed in Our humble person.

As for Ourselves — let Us say it in all simplicity — We seemed

to feel Our fatherhood expanding to the dimensions of this waiting world. And, just as the welcome of Rome upon Our return made Us feel more intensely the strength of the mysterious bond which unites the Pope to his diocese, so the ovations from the crowds greeting Us in the course of Our pilgrimage revealed to Us with intense emotion another dimension of the responsibility which rests upon Us — that universal fatherhood which the Liturgy of the Coronation portrays in its hieratical language when it proclaims the new Pope "guide of the world, *rectorem mundi.*"

Evidently this formula is not to be taken in the sense in which it was accepted and partly applied in the age that is past. It does, however, despite historical and psychological changes, indicate the enduring character of a mission which transcends all frontiers to embrace humanity as a whole, and to which, at certain privileged moments, humanity instinctively turns as to the polestar of the unity, the truth, and the peace to which it aspires.

We have together, Gentlemen, under the pontificate of Our great Predecessor John XXIII, lived in one of those privileged moments. And in the furrow traced by that unforgettable Pontiff, We personally have just witnessed, without having sought it, one of those vast manifestations of popular consensus which has sent its vibrant impulse to the inmost fibers of Our soul. In contact with those populations who share with us our faith in the one all-powerful God, We were conscious of the attraction which the ideal represented by the Catholic Church exercises upon the souls of men, and from the bottom of Our heart We gave thanks to God, who thus brought men, Our brothers, so close to Us and gave Us such an intense experience of Our universal fatherhood. May the impulse which the happy realization of this pilgrimage has given to so many men of good will, contribute to the great movement of unification of the human race, so eloquently outlined just now by your worthy spokesman.

In a different but related area, this voyage marked a notable step forward and awakened a great hope. We must not fail to mention it briefly.

Though the unity of the human race often seems, alas, to be far off, uncertain, and difficult of attainment, on the other hand the unity of those who profess faith in Christ should be nearer

and less difficult to achieve. We tried to leave nothing undone, that Our voyage might make an effective contribution to this great cause; and to Our immeasurable joy We saw the very people to whom We were coming with hearts full of confidence and hope, coming themselves to meet Us.

We have said before — and it is a pleasure to repeat it here — that one of the moments of the most intense emotion for Us in the entire voyage was Our meeting with the Patriarch of Constantinople. While We prayed with him and exchanged with him the kiss of peace in the very places where Christ wrought the redemption of the world, We had the feeling that, across the centuries, We were welding together again the links of a chain that should never have been broken, taking the first step in a reconciliation to which all Christians worthy of the name ardently aspire.

Certainly this too is a long road and one that is strewn with obstacles. Prejudices and misunderstandings which have accumulated for ages are not to be conjured away in a few hours! But, to be on the way, to have reestablished personal contacts after centuries of separation — is not this already a forecast and presage of developments which, with God's help, may some day lead to the longed-for union?

We hope, therefore, that in this respect Our voyage was not without fruit. And, Gentlemen, it is a happy circumstance that Our meeting with you is taking place on the very day on which, throughout the whole Christian world, the great cycle of prayer which is rightly called the "Church Unity Octave" is being concluded. We seem to see in Our mind's eye all the Christians who live in your respective countries united in one grand chorus sending up their supplications to God for the grace and blessing of unity. And We feel sure that you will not regret being in some sort associated, thanks to this happy coincidence, with the upsurge of this universal prayer and with this great vision of unity on the march.

Unity of Christians, unity of the world: in both these directions, We hope that a new step has been taken, a new mark has been set. You. Gentlemen, have been among the first to observe it and to rejoice at it. Permit Us to say that your acquiescence has been a precious encouragement to Us in the pursuit of Our course. Solicitous as you are for whatever can strengthen peace

in the world, are you not by that very fact always and everywhere resolute partisans of everything that makes for cohesion and union?

We are thankful to your Dean for having spoken so well of this great cause of peace and union. We thank him too for having called up, at the conclusion of his address, the figure of the great Apostle whose name We have chosen. There is a precious memory connected with the feast of the Conversion of Saint Paul: it is, as you remember, the date chosen by Pope John XXIII, exactly five years ago today, to make the first announcement of the ecumenical Council, that outstanding work of peace and union. May the strivings of Holy Church, your own efforts and those of all men of good will, be blessed by Almighty God and crowned with success! This is Our dearest wish and the object of Our prayers, at this moment when, having the pleasure of seeing you gathered here in Our presence, We invoke upon all and each of you, on your families and your countries, the most abundant outpouring of divine favors.

AAS 56-199; Paul VI, Allocution, 25 Jan., 1964.

Ecumenism: an Example From Paul VI (Paul VI, Message, 29 Oct., 1964) AAS 56-1021.

A message in writing from Pope Paul VI to the Metropolitan of Heliopolis and others gathered for a Council held at Rhodes by the Oriental Churches separated from the Apostolic See, is as follows:

Your Excellencies and dear Brothers in Christ:

Most heartily do We send you Our fraternal greeting. At a time when the Roman Catholic Church, united in Council, is considering the paths that she ought to follow in order to prove herself ever more faithful to the plan of God for His Church, in this time so rich in possibilities yet so full of temptations and trials, you too are preparing to apply yourselves to these same problems in order to correspond ever more truly to this will of the Lord.

Deeply conscious of the importance of your venerable assembly, We fervently implore for it the light of the Holy Spirit.

Be assured that, together with the Council actually in session, and the whole Catholic Church, We will follow with special interest the progress of your work and will associate it in ardent prayer with what is being done at this same time here, near the tomb of the Apostle Peter. We fully trust that the grace of God will be the more abundant for both groups, the more a mutual charity shall have inspired and animated this common prayer.

Recalling the recommendation of the Apostle Paul, "Bear one another's burdens; thus will you fulfill the law of God," We are encouraged to count on the benefit of your prayer, Most Excellent Lords and dear Brothers in Christ, so that our Lord may grant Us the grace necessary to accomplish faithfully the service to which a mysterious design of His Providence has called Us.

May the most Holy Mother of God, our Mother and yours, to whom we pray and whom we honor with equal fervor, obtain by her intercession that we may advance ever more in love for her Son. our Savior and only Lord. May charity, nourished at the table of the Lord, make us ever more eager for "the unity of the spirit in the bond of peace." (Cf. Eph. 4, 3).

From the Vatican, 29 Oct., 1964.

Paul VI
Bishop of Rome

AAS 56-1021; Paul VI, Message in writing, 29 Oct., 1964.

Liturgy: Old and New to Be Harmoniously Blended

(Paul VI, Allocution, 29 Oct., 1964) AAS 56-993.

In an Allocution to the Cardinals, Bishops, Consultors, and members of the Commission for Implementing the Constitution on the Liturgy, His Holiness Paul VI spoke in part as follows:

The proper implementing of the Constitution on the Liturgy requires that the old and the new be fittingly and beautifully combined. Here great care must be taken that the zeal for novelty do not exceed all bounds by giving too little consideration or none at all to the heritage of liturgical tradition. Such a perverted procedure would deserve to be called, not a renovation but rather a subversion of the Sacred Liturgy. For the Liturgy is like a strong tree, whose beauty is indeed unfolded in the constant renewal of its leaves, but whose fulness of life

is shown by the age of its trunk which sinks deep and strong roots into the ground. In liturgical matters there should be no repugnance between the present and the past. Every innovation should be in coherence and concord with sound tradition. New forms should seem to spring forth naturally from those already in use.

AAS 56-993; Paul VI, Allocution, 29 Oct., 1964.

Paul VI at the United Nations (4 Oct.. 1965) AAS 57-871.

The Pope's Message on Arrival at Kennedy International Airport, New York

We reply without delay to the greetings presented to Us by the distinguished representatives of the United Nations, and We express Our sincere thanks for the invitation to Us to address that great assembly. We are thus given the honor and the good fortune of meeting that greatest of all international organizations. It gives Us particular pleasure to mark in this way the 20th anniversary of the founding of the United Nations, and to express Our best wishes for its permanency and its development.

Our encouragement and support have, We believe, a special meaning. This is because We come from Rome, that city which, first of all in the history of civilization, promoted and represented the political union of peoples under the rule of law, and consequently in liberty, in culture, and in peace. We come from Rome, where there is located the central seat of that religious society not founded on temporal power, which is the Catholic Church. We are happy to note that natural sympathy existing between these two universalities, and to bear to your terrestrial city of peace the greetings and good wishes of our spiritual city of peace. One is a peace which rises from the earth, the other a peace which descends from heaven; and their meeting is most marvelous: Justice and peace have kissed one another. May God grant that this be for mankind's greater good.

We also wish to reply without delay to the greetings offered Us by this great country in the person of the President's representative. A country so free, so strong, so industrious, so full of wonders, this country of America, the America of the States

where We have so very many brothers, sons, and friends in the faith, and where a populous nation founds its very modern civilization upon the brotherhood of its citizens.

Greetings to you, America! The first Pope to set foot upon your land blesses you with all his heart. He renews, as it were, the gesture of your discoverer, Christopher Columbus, when he planted the cross of Christ in this blessed soil. May the cross of blessing which We now trace over your skies and your land preserve those gifts which Christ gave you and guarantees to you: Peace, concord, freedom, justice — and above all the vision of life in the hope of immortality. God bless this land of yours!

Address to the General Assembly

As We commence Our address to this unique world audience, We wish to thank your Secretary General, U Thant, for the invitation which he extended to Us to visit the United Nations on the occasion of the twentieth anniversary of the foundation of this world institution for peace and for collaboration between the peoples of the entire earth.

Our thanks also to the President of the General Assembly, Mr. Amintore Fanfani, who used such kind language in Our regard from the very day of his election.

We thank all of you here present for your kind welcome, and We present to each one of you Our deferential and sincere salutation. In friendship you have invited Us to this meeting, and it is as a friend that We are here today.

We express to you Our cordial personal homage, and We bring you that of the entire Second Vatican Council now meeting in Rome, and represented here by the eminent Cardinals who accompany Us for this purpose.

In their name and in Our own, to each and every one of you, honor and greeting!

This encounter, as you all understand, marks a simple and at the same time a great moment. It is simple, because you have before you a humble man, your brother, and among you all, representatives of sovereign States, the least-invested, if you wish to think of him thus, with a minuscule, as it were symbolic, temporal sovereignty, only as much as is necessary to be free

to exercise his spiritual mission and to assure all those who deal with him that he is independent of every other sovereignty of this world.

But he who now addresses you has no temporal power, nor any ambition to compete with you. In fact, We have nothing to ask for, no question to raise. We have only a desire to express and a permission to request, namely, that of serving you in as far as We can, with disinterest, with humility and love.

This is Our first declaration. As you can see, it is so simple as to seem insignificant to this assembly, which always treats of most important and most difficult matters.

We said also, however, and all here today feel it, that this moment is also a great one. Great for Us, great for you.

For Us: You know well who We are. Whatever may be the opinion you have of the Pontiff of Rome, you know Our mission. We are the bearer of a message for all mankind. And this We are, not only in Our own personal name and in the name of the great Catholic family, but also in that of those Christian brethren who share the same sentiments which We express here, particulari}^ of those who so kindly charged Us explicitly to be their spokesman here. Like a messenger who, after a long journey, finally succeeds in delivering the letter which has been entrusted to him, so We appreciate the good fortune of this moment, however brief, which fulfills a desire nourished in the heart for nearly 20 centuries.

For, as you will remember, We are very ancient. We here represent a long history. We here celebrate the epilogue of a wearying pilgrimage in search of a conversation with the entire world, ever since the command was given to Us: go and bring the good news to all peoples. Now, you here represent all peoples. Allow Us to tell you that We have a message, a happy message, to deliver to each one of you and to all.

We might call Our message a ratification, a solemn moral ratification of this lofty institution. This message comes from Our historical experience. As “an expert in humanity.” We bring to this organization the suffrage of Our recent predecessors, that of the entire Catholic episcopate and Our own, convinced as We are that this organization represents the obligatory path of modern civilization and of world peace. In saying this. We feel We are making Our own the voice of the dead and of the living;

of the dead, who fell in the terrible wars of the past; of the Living who survived those wars, bearing in their hearts a condemnation of those who would try to renew wars; and also of those living, who rise up fresh and confident, the youth of the present generation, who legitimately dream of a better human race.

And We also make Our own the voice of the poor, the disinherited, the suffering, of those who hunger and thirst for justice, for the dignity of life, for freedom, for well-being and progress. The people of the earth turn to the United Nations as the last hope of concord and peace. We preswme to present here, with their tribute of honor and of hope, Our own tribute also.

That is why this moment is great for you also.

We feel that you are already aware of this. Hearken now to the continuation of Our message. It becomes a message of good wishes for the future. The edifice which you have constructed must never fall. It must be perfected, and made equal to the needs that world history will present. You mark a stage in the development of mankind, from which retreat must never be admitted, but from which it is necessary that advance be made.

To the pluralism of states which can no longer ignore one another, you offer an extremely simple and fruitful formula of coexistence. First of all, you recognize and distinguish the one and the others. You do not confer existence upon states, but you qualify each single nation as fit to sit in the orderly congress of peoples.

That is, you grant recognition, of the highest ethical and juridical value, to each single sovereign national community, guaranteeing it an honored international citizenship. This in itself is a great service to the cause of humanity, namely, to define clearly and to honor the national subjects of the world community, and to classify them in a juridical condition, worthy thereby of being recognized and respected by all, and from which there may derive an orderly and stable system of international life.

You give sanction to the great principle that the relations between peoples should be regulated by reason, by justice, by law, by negotiation; not by force, not by violence, not by war,

not by fear or by deceit. Thus it must be. Allow Us to congratulate you for having had the wisdom to open this hall to the younger peoples, to those states that have recently attained independence and national freedom. Their presence is the proof of the universality and magnanimity that inspire the principles of this institution.

Thus it must be. This is Our praise and Our good wish, and, as you can see, We do not attribute these as from outside. We derive them from inside, from the very genius of your institution.

Your Charter goes further than this, and Our message advances with it. You exist and operate to unite the nations, to bind states together. Let Us use this second formula: to bring the ones together with the others. You are an association. You are a bridge between peoples. You are a network of relations between states. We would almost say that your chief characteristic is a reflection, as it were, in the temporal field, of what our Catholic Church aspires to be in the spiritual field — unique and universal. In ideological construction of mankind, there is on the natural level nothing superior to this. Your vocation is to make brothers not only of some, but of all peoples. A difficult undertaking indeed. But this it is, your most notable undertaking. Is there anyone who does not see the necessity of coming thus progressively to the establishment of a world authority, able to act efficaciously on the juridical and political levels?

Once more We reiterate Our good wish: advance always! We will go further and say: strive to bring back among you any who have separated themselves, and study the right method of uniting to your pact of brotherhood, in honor and loyalty, those who do not yet share in it. Act so that those still outside will desire and merit the confidence of all, and then be generous on granting such confidence. You have the good fortune and the honor of sitting in this assembly of peaceful community. Hear Us as We say: ensure that the reciprocal trust that here unites you, and enables you to do good and great things, may never be undermined or betrayed.

The inherent logic of this wish, which might be considered to pertain to the ver}' structure of your organization, leads Us to complete it with other formulas. Thus, let no one, inasmuch as he is a member of your union, be superior to the others.

Never one above the other. This is the formula of equality. We are well aware that it must be completed by the evaluation of other factors besides simple membership in this institution. But equality too belongs to its constitution.

You are not equal, but here you make yourselves equal. For several among you, this may be an act of high virtue. Allow Us to say this to you, as the representative of a religion that accomplishes salvation through the humility of its divine Founder. Men cannot be brothers if they are not humble. It is pride, no matter how legitimate it may seem to be, that provokes tension and struggles for prestige, for predominance, colonialism, egoism; that is, pride disrupts brotherhood.

And now Our message reaches its highest point, which is, at first, a negative point. You are expecting Us to utter this sentence, and We are well aware of its gravity and solemnity. Not the ones against the others, never again, nevermore! It was principally for this purpose that the organization of the United Nations arose: against war, in favor of peace! Listen to the lucid words of the great departed John Kennedy, who proclaimed, four years ago: "Mankind must put an end to war, or war will put an end to mankind." Many words are not needed to proclaim this loftiest aim of your institution. It suffices to remember that the blood of millions of men, that numberless and unheard-of sufferings, useless slaughter and frightful ruin, are the sanction of the pact that unites you, with an oath which must change the future history of the world. No more war; war never again! Peace, it is peace that must guide the destinies of peoples and of all mankind.

Gratitude to you, glory to you, who for 20 years have labored for peace and have even given to this holy cause some noted victims. Gratitude and glory to you for the conflicts that you have prevented or have brought to an end. The results of your efforts in recent days in favor of peace, even if not yet proved decisive, are such as to deserve that We, presuming to interpret the sentiments of the whole world, express to you both praise and thanks.

Gentlemen, you have performed and you continue to perform a great work: the education of mankind in the ways of peace. The UN is the great school where that education is imparted, and we are today in the Assembly Hall of that school. Everyone

taking his place here becomes a pupil and also a teacher in the art of building peace. When you leave this hall, the world looks upon you as the architects and constructors of peace.

Peace, as you know, is not built up only by means of politics, by the balance of forces and of interests. It is constructed with the mind, with ideas, with works of peace. You labor in this great construction. But you are still at the beginnings. Will the world ever succeed in changing that selfish and bellicose mentality which, up to now. has been interwoven in so much of its history? It is hard to foresee, but it is easy to affirm that it is towards that new history, a peaceful, truly human history, as promised by God to men of good will, that we must resolutely march. The roads thereto are already well marked out for you, and the first is that of disarmament.

If you wish to be brothers, let the arms fall from your hands. One cannot love while holding offensive arms. Those armaments, especially those terrible arms which modern science has given you, long before they produce victims and ruins, nourish bad feelings, create nightmares, distrust, and somber resolutions. They demand enormous expenditures, they obstruct projects of union and useful collaboration. They falsify the psychology of peoples. As long as man remains that weak, changeable, and ever-wicked being that he often shows himself to be, defensive arms will, unfortunately, be necessary.

You, however, in your courage and valiance. are studying the ways of guaranteeing the security of international life without having recourse to arms. This is a most noble aim. This the peoples expect of you. This must be obtained! Let unanimous trust in this institution grow, let its authority increase, and this aim, We believe, will be secured. Gratitude will be expressed to you by all peoples, relieved as they will then be from the crushing expenses of armaments, and freed from the nightmare of an ever-imminent war.

We rejoice in the knowledge that many of you have considered favorably Our invitation, addressed to all states in the cause of peace, from Bombay last December, to divert to the benefit of the developing countries at least a part of the savings which could be realized by reducing armaments. We here renew that invitation, trusting in your sentiments of humanity and generosity.

In so doing, We become aware that We are echoing another

priniciple that is structural to the United Nations, which is its positive and affirmative high point — namely, that you work here not only to avert conflicts between states, but also to make them capable of working one for the other. You are not satisfied with facilitating mere coexistence between nations. You take a much greater step forward, one deserving Our praise and Our support. You organize the brotherly collaboration of peoples. In this way a system of solidarity is set up, and its lofty civilized aims win the orderly and unanimous support of all the family of peoples for the common good of each individual. This aspect of the organization of the United Nations is the most beautiful; it is its most truly human visage: it is the ideal of which mankind dreams on its pilgrimage through time; it is the world's greatest hope; it is, We presume to say, the reflection of the loving and transcendent design of God for the progress of the human family on earth — a reflection in which We see the message of the gospel that is heavenly become earthly. Indeed, it seems to Us that here We hear the echo of the voice of Our predecessors, and particularly of Pope John XXIII, whose message of *Pacem in Terris* was so honorably and significantly received among you.

You proclaim here the fundamental rights and duties of man, his dignity, his freedom — and above all his religious freedom. We feel that you thus interpret the highest sphere of human wisdom and, We might add, its sacred character. For you deal here above all with human life. And the life of mar» is sacred. No one may dare offend it. Respect for life, even with regard to the great problem of birth, must find here in your assembly its highest affirmation and its most reasoned defense. Y'ou must strive to multiply bread so that it suffices for the tables of mankind, and not rather favor an artificial control of birth, which would be irrational, in order to diminish the number of guests at the banquet of life.

It does not suffice, however, to feed the hungry. It is necessary also to assure to each man a life conformed to his dignity. This too you strive to perform. We may consider this the fulfillment before Our eyes and by your efforts, of that prophetical announcement so applicable to your institution: "They will melt down their swords into ploughshares, their spears into pruning-forks" (Is. 2, 4). Are you not using the prodigious energies of

the earth and the magnificent inventions of science, no longer as instruments of death but as tools of life for humanity's new era?

We know how intense and ever more efficacious are the efforts of the United Nations and its dependent world agencies to assist those governments who need help to hasten their economic and social progress.

We know how ardently you labor to overcome illiteracy and to spread good culture throughout the world, to give men adequate modern medical assistance; to employ in man's service the marvelous resources of science, of technique, and of organization. All of this is magnificent, merits the praise and support of all, including Our own.

We Ourself wish to give the good example, even though the smallness of Our means is inadequate to the practical and quantitative needs. We intend to intensify the development of Our charitable institutions to combat world hunger and fulfill world needs. It is thus and in no other way that peace can be built up.

One more word, gentlemen, Our final word: This edifice that you are constructing does not rest upon merely material and earthly foundations, for thus it would be a house built upon sand. Above all. it is based on our own consciences. The hour has struck for our "conversion," for personal transformation, for interior renewal. We must get used to thinking of man in a new way; and in a new way also of men's life in common; with a new manner, too, of conceiving the paths of history and the destiny of the world, according to the words of St. Paul: "You must be clothed in the new self, which is created in God's image, justified and sanctified through the truth" (Eph. 4, 23). The hour has struck for a halt, a moment of recollection, of reflection, almost of prayer, a moment to think anew of our common origin, our history, our common destiny. Today as never before in our era so marked by human progress, there is need for an appeal to the moral conscience of man. For the danger comes, not from progress, nor from science. Indeed, if properly utilized, these could rather resolve many of the grave problems that assail mankind. No, the real danger comes from man himself, wielding ever more powerful arms, which can be employed equally well for destruction or for the loftiest conquests.

In a word. then, the edifice of modern civilization must be

built upon spiritual principles which alone can not only support it, but even illuminate and animate it. To do this, such indispensable principles of superior wisdom cannot but be founded We believe, as you are aware, upon faith in God.

That unknown God of whom St. Paul spoke to the Athenians in the Areopagus? Unknown by them, although without realizing it they sought Him and He was close to them, as happens also to many men of our times. To us, in any case, and to all those who accept the ineffable revelation which Christ has given us of Him, He is the living God, the Father of all men.

Homily oj Paul VI
at his
First Papal Mass in the United States

Brothers and sons of New York, brothers and sons of the United States and of all America, all of you who have assembled here from every part of the world. We greet you and We bless you!

This is the day which the Lord has made; let us rejoice and be glad today! This is the day which We have desired for centuries! The day which, for the first time, sees the Pope setting foot on this young and glorious continent! An historic day, for it recalls and crowns the long years of the evangelization of America and the magnificent development of the Church in the United States!

All honor to you, brothers and sons! Peace and joy in Christ to you, whom We wish We could individually receive and embrace! A fraternal and brotherly greeting to you, bishops and pastors, priests, men and women religious of America! To the shepherd of this most flourishing archdiocese, Francis Cardinal Spellman, Archbishop of New York, who is here beside Us, Our greeting and blessing, as a token of Our veneration and Our affection, of Our gratitude to him and Our esteem; especially today on the feast of St. Francis of Assisi, Our best wishes on his name day; and together with him We greet and salute the entire Catholic community of New York and of all the United States of America.

We know your pastoral work and your faithfulness. We know

the splendid organization and spiritual vitality of your parishes, of your seminaries, of your universities, of your schools, of your hospitals, of your works of charity! We know, too, your love of Christ and His Church. We affirm of you what St. Paul wrote to the Romans: "Your faith is proclaimed all over the world" (Rom. 1, 8).

And it is from Rome that We bring you that message of faith and love which unites us all in Christ; together with the blessing of Saints Peter and Paul.

We are most happy to greet at the same time, with all reverence and sincerity, those Christian brothers here present, separated from Us, yet united with Us by baptism and by belief in the Lord Jesus. We keep them all in Our heart and in Our prayers. We also greet those here present who follow other religious beliefs, and who in good conscience intend to seek and honor Almighty God, the Lord of heaven and earth: among whom the descendants of Abraham have Our particular consideration.

We feel, too, that the entire American people is here present, with its noblest and most characteristic traits: a people basing its conception of life on spiritual values, on a religious sense, on freedom, on loyalty, on work, on the respect of duty, on family affection, on generosity and courage. We pay honor to the human and civil virtues of this great people, and in these virtues We recognize valuable derivations from Christian values, which We hope will ever remain living and active, safeguarding the American spirit from those dangers which prosperity itself can entail, and which the materialism of our day can make even more menacing. From its brief but heroic history, this young and flourishing country can derive lofty and convincing examples to encourage it in its future progress.

So too, We turn Our thoughts cordially to all those who belong to other nations and are present at this great religious assembly; they show forth the hospitality of this country, and also the fact that men of different origins can live together, work together, and prosper together in freedom and in concord. To all of them and to their respective countries We send Our greetings and good wishes.

What are We to say to you, that can correspond to the duties of Our apostolic ministry and be adequate to the spirit of this

unique occasion? Our words can only be the words of the Gospel, which have just been read to you; the words of the risen Jesus, which He repeated three times: Peace be to you!

Truly, verily, peace be to you!

How rich in meaning, how abundant in good things, is this divine and human greeting of peace! Repeated thousands of times, we all recognize it, we all desire it. And that is good. But allow Us to exhort you to consider it once again, to preserve it as the gospel message of the Pope as he lands on this soil and proclaims to all those he meets: Peace be to this house, to this continent, and to all those who inhabit it!

We have, then, three things to say to you.

First of all, you must love peace. Here We can use the words of Christ: "Blessed are the peacemakers, for they shall be called the sons of God" (Matt. 5, 9). If we truly wish to be Christians, we must love peace, we must make our own the cause of peace, we must meditate on the real meaning of peace, we must conform our minds to the thought of peace. In the past it was not always so in the education of minds and the training of citizens: but today it must be so; we must love peace, because its dwelling is first in men's hearts and only afterwards in the external condition of society. Peace must live and reign in men's consciences, as Holy Scripture teaches us: "May the peace of Christ reign in your hearts" (Col. 3, 15). Peace is order, in relation to God and in relation to men; it is wisdom, it is justice, it is civilization. Whoever loves peace loves mankind, without distinction of race or of color.

Second thought: you must serve the cause of peace. Serve it, and not make use of it for aims other than the true aims of peace. Serve it, and not use this noble standard as a cover for cowardice or selfishness, which refuses to make sacrifices for the common good; not debilitate and pervert the spirit by evading the call of duty and seeking one's ολνη interest and pleasure. Peace is not a state which can be acquired and made permanent. Peace must be built; it must be built up every day by works of peace. These works of peace are, first of all, social order; then, aid to the poor, who still make up an immense multitude of the world population, aid to the needy, the weak, the sick, the ignorant. Peace must be like a garden, in which public and

private beneficence cultivates the choicest flowers of friendship, of solidarity, of charity and love.

Third thought: peace must be based on moral and religious principles, which will make it sincere and stable. Politics do not suffice to sustain a durable peace. The absence of conflict does not suffice to make of peace a source of happiness and of true human progress. Peace must have its roots anchored in wisdom, and this wisdom must draw nourishment from the true concept of life, that is, the Christian concept. Remember the words of the Lord Jesus: "Peace I leave with you, my peace I give to you. Not as the world gives do I give to you" (John 14, 27). Jesus, the Prince of Peace (Is. 9, 6), has His own original and characteristic peace, which can regulate every human relationship because, in the very first place, it regulates the relationship with God.

Coming among you at a moment so beautiful, so brief but so important as this, We have no better greeting, no better remembrance for you than to repeat that holy salutation of Christ: Peace, His peace!

Finally, one more word.

At the end of this Mass, We shall bless a stone which We have removed from St. Peter's basilica and which We Ourself brought here from Rome. This blessed stone will be placed in the foundations of a great new edifice, the Seminary of the Archdiocese of New York. Cardinal Spellman, with that courage and farsightedness which are characteristic of him, is preparing to build this seminary for the new and future generations of students for the priesthood in the service of Holy Mother Church. This is indeed a monument worthy of perpetuating the memory of Our visit to you. You can see in this cornerstone an eloquent symbol of faith and love which unite the Catholics of New York to the Church of Rome. You can see in this ceremony the proof of Our confidence in the seminarians of New York, those of today and those of tomorrow: the pledge of Our good wishes that they may always be sustained by Christ, and always be the *Gloria Christi,* the glory of Christ (1 Cor. 8, 23).

God bless you.

Speech of Thanks at John Kennedy Airport before Departure

We are sincerely grateful to you all for the greetings which you express to Us by your presence here.

We thank the President, the Secretary General, and all the members of the United Nations; the President of the United States of America and the federal authorities; the Governor of the State of New York and the state officials; the Mayor of the City of New York and municipal officials. Our gratitude goes also to the Cardinal Archbishop of the City and to his priests, religious, and faithful people. And We are grateful to all the citizens of this metropolis and of all the United States of America, for their enthusiastic and affectionate welcome.

Our very brief visit has given Us a great honor; that of proclaiming to the whole world, from the Headquarters of the United Nations, Peace! We shall never forget this extraordinary hour. Nor can We bring it to a more fitting conclusion than by expressing the wish that this central seat of human relationships for the civil peace of the world may ever be conscious and worthy'· of its high privilege.

To America, Our prayerful wishes for prosperity' and peace under the rule of law, in concord with the other nations of the world; and Our heartfelt blessings upon its people, their families, their government, their homes and schools and churches, one Nation, under God. free and indivisible. God bless America! God bless you all!

To the Reporters and Technicians of the Radio, Television, and Filins at John Kennedy Airport

Gentlemen of the Press, Radio, Television, and Cinema:

Our crowded schedule did not permit Us the time to meet with you, but We cannot depart without expressing a word of admiration and respect for your profession and vocation. Communications have experienced a remarkable advance since our first contact many years ago. As a result the world has become much smaller. Behind each one of you is a vast network working to bring the latest news to everyone. Responsibility is in proportion to knowledge, and you are in possession of much weighty

knowledge. You can lead men to be aware of the complex problems and you can encourage them to make their own personal contribution without which true peace and harmony cannot ever become a reality.

Your labors are often hidden and go unheralded, but be sure that We appreciate them and value them highly. We are confident that you will not falter in bringing the message of peace to all men of good will, that you will continue to teach men that all are brothers of one human family, and that you will help them to understand one another and to cooperate in an atmosphere of mutual respect and affection. Our good wishes and Our heartfelt thanks go to you for your most important work. May God bless you!

AAS 57-871; Visit of Paul VI to the United Nations, 4 Oct., 1965.

Note: The report of this historic visit in the official *Acta Apostolicae Sedis* occupies pages 871 to 898 and includes, besides the five addresses recorded above:

1. A speech in Italian, delivered at the airport on departure, addressed to all the peoples of the world (pp. 871-874);
2. A response in English to the welcome of Cardinal Spellman, in Saint Patrick's Cathedral (p. 876);
3. In the Church of the Holy Family, an address in English to representatives of various Catholic organizations having relations with the U.N. (pp. 885-886);
4. A short speech in English at the New York World's Fair, with reference to Michelangelo's *Pieté* (p. 890);
5. A short speech in Italian on his departure from John Kennedy Airport for Rome (p. 892);
6. An address in Italian on arrival at Leonardo da Vinci Airport, to the distinguished persons there to meet him (pp. 892-893);
7. A speech in Latin to the Fathers of the Council in the Vatican Basilica (pp. 894-896);
8. A written message in Latin which he had delivered to the UN soon after his arrival in New York (pp. 897-898).

Ecumenism: Common Declaration of Paul VI and Archbishop Ramsey (24 March, 1966) AAS 58-286.

Pope Paul VI and His Grace Michael Ramsey, Archbishop of Canterbury, at a friendly meeting in the Monastery of Saint

Paul's outside the walls, signed this declaration in Latin and English, which was also read in the Patriarchal Basilica of Saint Paul's after they had prayed there together. Both the Latin and English texts are published in the AAS. The English is as follows:

In this city of Rome, from which St. Augustine was sent by St. Gregory to England and there founded the cathedral see of Canterbury, toward which the eyes of all Anglicans now turn as the center of their Christian Communion, His Holiness Pope Paul VI and His Grace Michael Ramsey, Archbishop of Canterbury, representing the Anglican Communion, have met to exchange fraternal greetings.

At the conclusion of their meeting they- give thanks to Almighty God who by the action of the Holy Spirit has in these latter years created a new atmosphere of Christian fellowship between the Roman Catholic Church and the Churches of the Anglican Communion.

This encounter of the 23rd March 1966 marks a new stage in the development of fraternal relations, based upon Christian charity, and of sincere efforts to remove the causes of conflict and to re-establish unitv.

In willing obedience to the command of Christ who bade His disciples love one another, they declared that, with His help, they wish to leave in the hands of the God of mercy all that in the past has been opposed to the precept of charity, and that they make their own the mind of the Apostle which he expressed in these words: "Forgetting those things which are behind, and reaching forth unto those things which are before, I press towards the mark for the prize of the high calling of God in Christ Jesus."1·

They affirm their desire that all those Christians who belong to these two Communions may be animated by these same sentiments of respect, esteem and fraternal love, and in order to help these develop to the full, they intend to inaugurate between the Roman Catholic Church and the Anglican Communion a serious dialogue which, founded on the Gospels and on the ancient common traditions, may lead to that unity in truth for which Christ prayed. .9

» Phil 3. 13-14.

The dialogue should include not only theological matters such as Scripture, Tradition and Liturgy, but also matters of private difficulty felt on either side. His Holiness the Pope and His Grace the Archbishop of Canterbury are indeed aware that serious obstacles stand in the way of a restoration of complete communion of faith and sacramental life; nevertheless, they are of one mind in their determination to promote responsible contacts between their Communions in all those spheres of church life where collaboration is likely to lead to a greater understanding and a deeper charity, and to strive in common to find solutions for all the great problems that face those who believe in Christ in the world of today.

Through such collaboration, by the grace of God the Father and in the light of the Holy Spirit, may the prayer of Our Lord Jesus Christ for unity among his disciples be brought nearer to fulfilment, and with progress towards unity may there be a strengthening of peace in the world, the peace that only He can grant who gives "the peace that passeth all understanding," together with the blessing of Almighty God, Father, Son and Holy Spirit, that it may abide with all men forever.

Rome, from Saint Paul Without the Walls, March 24, 1966.

Michael Cantuarensis Paulus PP. VI

AAS 58-286; Paul VI and Archbishop Ramsey of Canterbury, Declaration, 24 March, 1966.

Note: The address to Archbishop Ramsey which the Pope delivered in Latin on this occasion, is in AAS 58-306.

On Conferring the Dignity of Equestrian Orders on Heads of States (Paul VI, *Motu proprio,* 15 Apr., 1966) .AAS 58-341.

The Equestrian Orders have been established, changed, or amplified by the Roman Pontiffs, for various reasons, as a way of manifesting esteem, good will, and gratitude toward distinguished men who are active in public life or are notable and deserving of honors on some other ground. With this in mind Our Predecessor Pius XII, by the Apostolic Letter under the Ring of the Fisherman, on the 25th of December, 1957, greatly heightened the dignity of the *Ordo Pianus* by introducing the

golden necklace. It was his intention that this decoration should be peculiar to Leaders of States or others who enjoy a very high authority. By the same Letter he provided that persons worthy of the honor by reason of very special and singular merits, be enrolled in the Supreme Order of the Militia of Our Lord Jesus Christ and in the Order of the Golden Militia, or that of the Golden Spur. Since it has come to pass in this age of ours that the Holy See is more frequently in contact with the Heads of States, not through others but in person, and consequently has more frequent occasions for polite intercourse with them, it has been decided to arrange properly and to regulate more precisely the whole matter of these Equestrian Orders. Accordingly, after careful consideration We establish and decree the following:

I. The golden necklace of the *Ordo Pianus* shall be given only to those who are Heads of States, and only on the occasion of some solemn event, as for example when they pay an official visit to the Supreme Pontiff.

II. The Supreme Order of the Militia ol Our Lord Jesus Christ and the Order of the Golden Militia, since they are honors to be conferred for an extraordinary reason, shall be given to Heads of States only on the occasion of the greatest celebrations at which the Supreme Pontiff is present in person, or because of particular events which are of such importance that they re-echo throughout the world and engage the attention of men of every land. Since, moreover, these two Equestrian Orders have something of a religious character, one being honored with the name of Our Lord Jesus Christ and the other with that of the Blessed Virgin Mary, it seems proper that they be given only to Heads of States who profess the Christian faith.

All that We have decreed by this Our *motu proprio* Letter, We ordain to remain firm and valid, all things to the contrary notwithstanding.

Given at Rome, from Saint Peter's, the 15th of April in the year 1966, the third of Our Pontificate.

AAS 58-341; Paul VI, *Motu proprio,* 15 Apr., 1966.

Year of Faith (Paul VI, Ap. Exhort., 22 Feb., 1967) AAS 59-193.

To commemorate the 19th centenary of the martyrdom of Saints Peter and Paul for the faith, and more particularly to

make of this commemoration a profession of faith for all Christians, Pope Paul VI addressed to all Bishops in communion with the Apostolic See this Apostolic Exhortation, proclaiming a "Year of Faith." The following four quoted paragraphs are translated verbatim from the official Latin text.

Purposes of the Celebration. "To confirm our faith, expressed according to its true sense, to encourage study of the doctrines recently presented by the Ecumenical Council, to support the efforts of Catholics who are seeking new ways of presenting the truths of faith while remaining fully in accord with the teaching of the Church 'in the same opinion and in the same sense' (Vincent Lerins, *Commonitorium,* 1, 23: *PL* 50, 668)—for all these results, We say, after an interval of time, comes this happy centenary of the Apostles. It offers to all the children of Holy Church two opportunities: first, to give to Jesus Christ. Son of God, Mediator and Consummator of our faith, that reply so full of humility and generosity, 'I believe,' and so to give complete assent of mind and will to his Word, to his Person, to his message of salvation: and secondly to give due honor to those two supreme witnesses to Christ, Peter and Paul, by renewing our Christian resolve to profess our faith sincerely and actively and to strive by prayer and work to the end that the unity of that same faith be restored among all Christians."

Manner of the Celebration. "We paternally exhort all of you, Venerable Brothers in the Episcopacy, to explain verbally the Symbol of the faith, to honor it by sacred celebrations and to recite it often together with your priests and faithful, using one or another of the formulas which are used in the prayers of the Catholic Church.

"We would be very happy to know that it is recited in every cathedral church in the presence, together with the Bishop, of the priests, seminary students, lay persons of the militant Kingdom of Christ, religious men and sacred virgins, and as large as possible a gathering of the faithful. Let all parishes do the same for their people, and every religious house as well. We also recommend that the profession of the Christian faith be recited on a definitely specified day in every house where there is a Christian family, in the headquarters of Catholic associations, in Catholic schools and hospitals, in all places destined for sacred rites, and in all buildings and meetings where the voice

of faith can express and confirm a sincere interior assent to the Christian wav of life to which we are all called.

"We appeal with special urgency to interpreters of Sacred Scripture and experts in sacred theology to second the *magisterium* of the Church by protecting the true faith from all error, by studying thoroughly its mysteries, by explaining it correctly and by setting forth the proper methods for its study and propagation. And this We say also to sacred preachers, to teachers of the Christian religion and instructors in Christian doctrine."

Duration: The Holy Father specifies that the Year of Faith be celebrated throughout the world at the same time as in Rome, that is, from 29 June, 1967 to the same date of the following year.

AAS 59-193; Paul \'I, Apostolic Exhortation, 22 Feb., 1967.

Abolitionist Federation: Allocution, Paul VI to 23rd Congress of the "International Abolitionist Federation," 9 May, 1966 (AAS 58-439).

Africa: And Europe. Allocution, Paul VI to the Parliamentary Conference of the Association of the Economic Community of Europe and the African States and Madagascar, 9 Dec., 1966 (AAS 58-75).

Written message (25 pages) Paul VI to hierarchy and people of Africa. 29 Oct., 1967 (AAS 59-1073). English version in *African Eccles. Review,* 10 (1968)–71-84. *

Altar Boys: Allocution to a group of altar boys on pilgrimage to Rome from man} European nations. Paul VI, 30 March, 1967 (AAS 59-349).

Argentina: Catholic Action. Message in writing of Paul VI to Cardinal Caggiano, Archbishop of Buenos Aires, and to the other Archbishops and Bishops of the Argentine Republic on the occasion of a congress of all the Associations of Catholic Action in the nation, 12 April, 1964 (AAS 56-451). English version in *The Pope Speaks,* 10 (1964-65)-23-30.

Armaments: Reduction, effective, general and *controlled,* urged by Paul VI in a Letter to U Thant, Secretary General of the U.N., in connection with the meeting of the "Committee of Eighteen for Disarmament" in Geneva, 24 Jan., 1966 (AAS 58-135).

Ash Wednesday: Allocution, Paul VI to faithful in Audience, 23 Feb., 1966 (AAS 58-229).

Atlantic Pact: Allocution of Paul VI to the eleventh general convention of the *"Association du Pacte Atlantique,"* 29 Sept., 1965 (AAS 57-906).

Australia: Radio address of John XXIII to the faithful of Australia and New Zealand on the installation of a new instrument of the Vatican Radio to reach those countries, 27 Nov,, 1962 (AAS 55-50).

Austria: Allocution, Paul λ I to Ambassador to the Holy Sec on presenting his credentials, 20 June, 1966 (AAS 58-512).

Authority in the Church: Allocution of Paul VI in the general audience of 4 November, 1964. *Documentation Catholique,* 62 (1965)-206; *L'Osserva-*

tore Romano, 6 Nov., 1964. English version in *The Pope Speaks,* 10 (1964-65)-116-119.

"Beda" College in Rome. Paul VI, allocution on occasion of ordination of sixteen students to the priesthood, 25 Jan., 1967 (AAS 59-149).

Belgium: Televised radio address to all the faithful of Belgium. Paul VI, 12 Dec., 1963 (AAS 56-52).

Birth Control: Allocution of Paul VI, 23 June, 1964, in the course of which he declared that the doctrine of Pius XII on this subject has not been modified and must for the present be adhered to, (AAS 56-581). Full English text in *The Catholic Mind,* 62 (Sept., 1964)-54-60; *The Pope Speaks,* 9 (1963-64)-349-356. Commentary: a review of the doctrine of the Church on this subject from 1816 to 1966, from pontifical documents and statements of Bishops throughout the world: *Periodica,* 56 (1967)–61–87 (Zalba).

Allocution, Paul VI to Italian Obstetricians and Gynecologists, 29 Oct., 1966 (AAS 58-1166). English version in *Catholic Mind,* 65 (Mar., 1967)–59–62.

Blind: Crusade of the. Allocution of Paul VI to Sixth International Congress, 20 Aug., 1967 (AAS 59-862).

Bolivia: Paul VI, radio address to the faithful of Bolivia for the inauguration of the station "Radio Loyola," 31 July, 1965 (AAS 57-728).

Boy Scouts: Paul VI extends welcome in writing in the eleventh international Jamboree at Marathon, 20 July, 1963 (AAS 55-757).

Brain and Consciousness *(Cerveau et Conscience)*: Allocution of Paul VI to members of the Pontifical Academy of Science and guest scientists from various nations at the close of a week spent in the study of the relation of the brain to human consciousness, 3 Oct., 1964 (ASS 56-943).

Brazil: Radio address to the faithful of Brazil on the fourth centenary of the founding of the city of Rio de Janeiro; Paul VI, 1 Jan., 1965 (AAS 57-183).

Radio address to Portuguese residents of Brazil, on the Rosarv. Paul VI, 8 Dec., 1963 (AAS 56-54).

Burundi: Paul VI, Allocution on receiving credentials from first Ambassador of that country to the Holy See, 12 May, 1966 (AAS 58–143).

Campaign against Hunger. Allocution to the "Comité Intergouvememental du Programme Alimentaire Mondial." Paul VI, 20 Apr., 1967 (AAS 59-423). English version in *The Pope Speaks,* 12 (1Q67)–118-121.

Radio message of John XXIII commemorating two current events: the World Week against Hunger and the World Alimentary Congress, in Washington, 14 March, 1963 (AAS 44-344).

Canada: Radio address of Paul VI to the French and English-speaking citizens of Canada on the occasion of their celebration of the progress of television, 22 Sept., 1963 (AAS 55-883).

Candles: Offered to the Pope on the feast of the Purification of the Blessed Virgin Mary. Allocution of John XXIII, 2 Feb., 1963 (AAS 55-166).

Cardinals. Sec c. 231 ; AAS 57-295, and c. 231, ref. AAS 57-273.

Catholic: Meaning and use of the term brought out in sermon of Paul VI, 17 May, 1964 (AAS 56-428). English version in *The Pope Speaks,* 10 (1964-65)-76-81.

Catholic Action: John XXIII, Allocution to the Italian *Movimento Laureati de Azione Cattolica,* 4 Jan., 1963 (AAS 55-89).

Paul VI, Allocution to diocesan directors of Catholic Action in Italy 30 July, 1963 (AAS 55-689).

Celibacy: Encyclical of Paul VI. 24 June, 1967 (AAS 59-657). English version in *Catholic Mind,* 65 (Oct., 1967)-46-65; *The Pope Speaks,* 12 (1967)-291-319; *The Priest,* 23 (1967)-623-654.

Chile: Radio message on installation of new radio station in Santiago. Paul VI, 18 July, 1963 (AAS 55-693).

China: Twentieth anniversary of establishment of hierarchy; allocution of Paul VI, 6 Jan., 1966 (AAS 59-68).

Christian Democracy: Allocution of Paul VI to the International Union of Young Christian Democrats, in Rome, 31 Jan., 1964 (AAS 56-203). English summary with some excerpts translated: *The Pope Speaks,* 10 (1964–65)–75.

Christian Unity: Apostolic Exhortation of Paul VI to all Bishops, urging zealous promotion of the octave of prayer, 15 Jan., 1964 (AAS 56-183). English version in *The Pope Speaks,* 9 (1963-64)-288-291.

Christmas Allocutions of Paul VI: (1) to Cardinals, Prelates of the Roman Curia and other dignitaries in response to their salutation presented by Cardinal Tisserant, Dean of the Sacred College, 23 Dec., 1965 (AAS 58-79); (2) to the Diplomatic Corps after midnight Mass in the Sistine Chapel, 25 Dec., 1965 (AAS 58-83); (3) to the world by radio before giving the blessing *Urbi et Orbi,* 25 Dec., 1965 (AAS 58-96).

Christmas Eve: Radio message of John XXIII after celebrating Mass in his private apartments about 10 p.m., 24 Dec., 1962 (AAS 55-52).

Christmas Greeting of John XXIII to those assembled in the Piazza of Saint Peter's, 25 Dec., 1962 (AAS 55-48).

Paul VI, 22 Dec., 1964. Full English version, *The Catholic Mind,* 63 Feb., 1965)-59-64.

Christmas Message to the world, John XXIII, 22 Dec., 1962 (AAS 55-13).

Paul VI, 23 Dec., 1963. English translation supplied by the Vatican Press Office, *The Catholic Mind,* Feb., 1964, p. 46.

Response to Christmas greeting of Cardinals. Allocution, Paul VI, 24 Dec., 1963 (AAS 56^43).

Paul VI, 22 Dec., 1964. Full English version, *The Catholic Mind,* 63 (Feb., 1965)-59-64.

Paul VI by radio, 23 Dec., 1965 (AAS 58-90). English version in *Catholic Mind,* 64 (Feb., 1966)-57-62.

Christmas Radio Addresses: Paul VI, 22 Dec., 1066 (AAS 50-75); English version in *The Pope Speaks,* 12 (1967)-45-49; another address 25 Dec., 1966 (AAS 59-79).

Church of England: The address of Paul VI in English to His Excellency Michael Sanigear Williams when receiving him as Minister to the Holy See from Great Britain, contained this tactful allusion to the work of Vatican Council II for Church Unity:

"We should be pleased and honored if Your Excellency, in the course of your mission, would bear witness to the solicitude with which We seek to serve so important a cause, and would convey to your Govern-

mcnt and the British people something of the care, both discreet and respectful, with which the Holy See favors, in God's good time, perfect reconciliation between the Catholic Church and the Church of England, being always exclusively guided by a twofold love: love for the teaching of Christ and love for true brotherhood among all Christians." Paul VI, Allocution, 1 June, 1965 (AAS 57-601).

Cinema and Television: Allocution of Paul VI in an Audience sdven to those attending the Sixth Convention of the International Market for Films, Television and Documentaries, 23 Oct., 1964 (AAS 56-981).

Clinical Biology: Paul VI, Allocution to International Association, 8 Oct., 1966 (AAS 58-902).

Code of Canon Law: Revision. See c. 8; AAS 57-985, and c. 8, ref.

Congo: Written message to people of the Congo appealing for an end to fratricidal strife and for the establishment of peace founded on truth, justice, charity, and freedom. Paul VI, 10 Dec., 1964 (AAS 57-184).

Leiter to Archbishops, Bishops, and local Ordinaries of the Congo on the calamitous events taking place in that country. Paul VI, 17 Dec., 1964 (AAS 57-160).

Letter, Paul VI to the Archbishop of Leopoldville, urging tranquility, order and peace, 22 Dec., 1965 (AAS 58-50).

Current Vatican Events: Reviewed in allocution of Paul VI to Cardinals and Prelates of the Roman Curia, 23 Dec., 1966 (AAS 59-48). English version in *The. Pope Speaks,* 12 (1967)–35–44.

Cursillos de Cristianidad: See c. 126, ref.

Dante Alighieri: Allocution, Paul VI to the *"Societa Dante Alighieri,"* 31 Jan., 1966 (AAS 58-210).

Motu proprio, Paul VI on seventh centenary of birth of Dante, establishing a Chair for the study of his poetry in the University of the Sacred Heart in Milan, 7 Dec., 1965 (AAS 58-22).

Denmark: Allocution in English of Paul VI to King Frederic IX and Queen Ingrid, 23 Apr., 1964 (AAS 56-390).

Diplomatic Corps: Allocution, Paul VI, 7 Jan., 1067 (AAS 59-71).

Dominican Republic: Written message of Paul VI to the faithful of the Dominican Republic through the papal Nuncio, urging the settlement of civil disturbances and a return to peace, 17 June, 1965 (AAS 57-659).

Duns Scotus: Apostolic Letter, *Alma Parens,* Paul VI to Hierarchy of England and Scotland, commemorating 7th centenary of the birth of Duns Scotus, 14 July, 1966 (AAS 58 609). Annotations: *Laurentianum,* 7 (1966)–382–392 (Borak) ; *Miscellanea Francescana,* 66 (1966)–271–301 (Di Fonzo).

Easter Message of John XXIII by radio to all the faithful, 13 Apr., 1963 (AAS 55-399).

Paul VI, 18 April, 1965 (AAS 57-397). English version, *Catholic Mind.* 43 (1965)–61–64.

Radio address of Paul VI to the whole Christian world, 29 March 1964 (AAS 56-391). English version in *The Pope Speaks,* 9 (1963-64)-366-370.

Paul VI by radio, 10 Apr., 1966 (AAS 58-313). English version in *Catholic Mind,* 64 (June, 1966)-59-61.

Easter Message: Paul VI, 26 March, 1967 (AAS 59-356).
Economic Analysis: Allocution of Paul VI to the members of the Pontifical Academy of Science on the occasion of their meeting for discussion of "the role of economic analysis in the formulation of plans concerning the development and study of economic fluctuations," 13 Oct., 1963 (AAS 55-875).
Economics: Allocution of Paul VI on its Christian concept, S June, 1964 (AAS 56-574). English version in *The Pope Speaks,* 10 (1964-65)-46-50
Ecumenism: Catholic Orthodox mutual excommunication revoked. See c. 222; AAS 58-20.
Televised radio message, Paul VI, closing the "ecumenical dialogue" on restoring Christian unity, 13 Apr., 1966 (AAS 58-390).
Encyclicals: Celibacy, Paul VI, 24 June, 1967 (AAS 59-657). English version in *Catholic Mind,* 65 (Oct., 1967)-46-65; *The Pope Speaks,* 12 (19671-291-319; *The Priest,* 23 (1967)-623-654.
Ecclesiam Suam, Paul VI, 6 Aug., 1964. on How the Church Must Fulfill her Mission at the Present Time (AAS 56-609). English version in *The Pope Speaks,* 10 (1964-65)-253-292.
May Devotions. See that title below, in this same index, c. 218, ref.
Mysterium Fidei, Paul VI, 3 Sept., 1965, on the Doctrine and Worship of the Most Holy Eucharist. English version in *The Pope Speaks,* 10 (1964–65)–309–328. Annotations, *L'Ami du Clergé,* 75 (1965)-673-680 (Michel); *Monitor Ecclesiasticus,* 91 (1966)–156–174 (Masi).
Pacem in terris, John XXIII, 11 Apr., 1963 (AAS 55-257). English text, *The Pope Speaks,* 9 (1963–64)–13; *Catholic Mind,* Sept. 1963, p. 47 and Oct. 1963, p. 45. Commentary, *Periodica,* 53 (1964)-5. The entire issue of this number of *Periodica,* pages 5-166, is taken up with a thorough commentary' on various aspects of the Encyclical:
Preface (Cardinal Suencns)
Human Rights (Fuchs)
The Right to Follow an Erroneous Conscience in the Worship of God (Zalba)
The Relations Between Individuals and the State in Various Nations (Diez Alegria)
The Structure and Function of the Community of Nations (Ccreceda).
The Mutual Relations of Nations (Orsy).
The Participation of Catholics in Public Life (Goenaga).
Populorum Progressio, Paul VI, 26 Mar., 1967 (AAS 59-257). English version in *The Pope Speaks,* 12 (1967)–144–167. Annotations in *Catholic Mind,* 66 (Feb., 1968)-32-41 (Cardinal Roy).
England: Address of welcome to Prime Minister Harold Wilson on the occasion of his visit to the Holy Sec. Paul VI, 17 Jan., 1967 (AAS 59-140).
Ephesus: Pilgrimage of Paul VI to the ancient church, now in ruins, at Ephesus, from which he addressed a message to the hierarchies of both the Catholic and Orthodox Churches of the East, 26 July, 1067, in the course of his visit to Turkey (AAS 59-850).
Eucharistic Congress: Letter of Paul VI to Cardinal Florit, appointing him

as his Legate *a latere* to the 17th Italian national Eucharistic Congress at Pisa, 30 May, 1965 (AAS 57-581).

Homily spoken by Paul VI at the National Eucharistic Congress at Pisa, after celebrating Mass in the piazza of the Cathedral, 10 June, 1965 (AAS 57-587).

Letter of Paul VI to Cardinal Ricketts, Legate to the seventh National Eucharistic Congress of Peru, 25 June, 1965 (AAS 57-719).

European Studies: Allocution of Paul VI to general assembly of the Institute "d'Etudes Européennes," 29 Apr., 1967 (AAS 59-499).

Family Life: The organization known as *"Union Internationale des Organismes Familiaux"* was founded in 1947. Paul VI, in an allocution to the members attending their 16th reunion held in Rome, stressed the interest of the Church in family life and in the special aspect of it with which the meeting was chiefly concerned, namely, "new families." The Church faces fearlessly the problems of these young families and recognizes much positive progress in certain innovations which characterize them. Paul VI, Allocution, 7 July, 1965 (AAS 57-651). See also Population Growth, below in this same index, c. 218, ref.

F.A.O.: Allocution in English of Paul VI, 23 Dec., 1963 (AAS 56-40).

Allocution of Paul VI to an international youth group on the 20th anniversary of the founding of F.A.O., 15 Oct., 1965 (AAS 57-909).

Allocution to the members of the Thirteenth Session of the Conference of F.A.O., meeting in Rome in connection with the 20th anniversary of the foundation, 28 Nov., 1965 (AAS 57-996).

Fatima: A detailed account of the pilgrimage of Paul VI to Fatima, 13 May, 1967, with the text of the allocutions delivered durinc the voyage (AAS 59-593 to 601). English version of homily in *The Pope Speaks,* 12 (1967J-93-96.

Letter of Paul VI appointing Cardinal Nunes Legate for the celebration of the fiftieth anniversary of the devotion arising from the apparitions, 15 Apr., 1967 (AAS 59-484).

Paul VI announces his coming personal pilgrimage to Fatima. Allocution, 3 May, 1967 (AAS 59-502).

Finland: Paul VI, Allocution on receiving His Excellency Otso Wartiovaara, Legate to the Holy See from the Republic of Finland, 21 Apr., 1966 (AAS 58-371).

Flood Disaster in Florence: Allocution of Paul VI, in Florence itself, on Christmas eve, 24 Dec., 1966 (AAS 59-59). Two other allocutions on the same occasion (AAS 59-60 and 61).

France: Televised radio address to all the faithful of France. Paul VI, 6 Dec., 1963 (AAS 56-50).

Freedom and Truth of Information: Allocution of Paul VI to the United Nations Seminar on Freedom of Information, 17 Apr., 1964 (AAS 56-387). English version in *The Pope Speaks,* 9 (1963–64)–371–373.

Georgetown University: Radio address of Paul VI. See c. 256, ref.

Golden Rose; Brought to Grotto of the Nativity in Bethlehem by Paul VI on his pilgrimage to Palestine. Apostolic Letter, 25 Dec., 1963 (AAS 56-188).

For Our Lady of Guadalupe, Paul VI, Ap. Letter, 20 Mar., 1966 (AAS 58-475).

Radio address, Paul VI to faithful of Mexico on the occasion of the presentation of the Golden Rose to the Basilica of Our Lady of Guadalupe, 31 May, 1966 (AAS 58-515).

Allocution on occasion of blessing the Golden Rose for the Church of Our Lady "de Aparecida" in Brazil. Paul VI, 5 March, 1067 (AAS 59-338).

Apostolic Letter conferring the Golden Rose through Cardinal Motta. Archbishop of Aparecida, 5 March, 1967 (AAS 59-769).

Gregor Mendel: First centenary of the announcement of his discoveries regarding the laws of heredity. Letter of Paul VI to the Very Reverend Lucian Rubio, Superior General of the Augustinians, 20 Feb., 1965 (AAS 57-309).

Guatemala: Allocution to new Legate to the Holy See. Paul VI, 22 Dec., 1966 (AAS 59-46).

Gypsies: On Sunday 26 September 1965, Paul VI visited the international encampment of the Gypsies near the town of Pomezia, accompanied by many Fathers of the Council. The Pope celebrated Mass for the Gypsies and gave them a very frank but affectionate exhortation. The event is reported in *Documentation Catholique,* 62 (1965)—1751-1753. The sermon is reported in full.

Haiti: Paul VI. address of welcome to Ambassador to the Holy See, 6 Feb., 1967 (AAS 59-151).

Human Rights: Paul VI, Allocution to "International Abolitionist Federation," 9 May, 1966 (AAS 58-439).

Hungary: Message in writing from John XXIII to the people of Hungary and to the Bishops from that country who attended the first session of the II Vatican Council, 8 Dec., 1962 (AAS 55-53).

India: Ambassador to Holy See. See c. 267, ref.

Visit of Paul VI: A summary from the AAS, vol. 57, pp. 113-140. Paul VI left Rome from the airport "Leonardo da Vinci" on 2 December, 1964. The addresses delivered during the visit were:

At the airpoint before departure (in Italian, p. 113)

On arrival at the airport in Beyrouth, to the President and public officials of Lebanon (in French, p. 115).

On arrival at the airport of Bombay, to the Vice-President and Prime Minister of the Federated States of India (in English, p. 116)

To His Excellency, the President of the Federated States of India (in English, p. 117)

To the Mayor and city officials of Bombay (in English, p. 118)

To the members of the Diplomatic Corps (in French, p. 117)

To the Eucharistic Congress Committee and the Civic Committee (in English, p. 120; in Italian, p. 121)

In the field of the Eucharistic Congress on the feast of Saint Francis Xavier, 3 December, after consecrating six Bishops (in English, p. 121)

In the parish church of Saint Paul in Bombay, to the people (in English, p. 124)

To the faithful who attended the solemn Liturgy in the Syro-Malankara rite and the blessing of the sick of the Syro-Malabar rite (in English, p. 126)

To the faithful in the celebrated church of "Mount Mary in Bandra," Bombay (in English, p. 129)

To a group of Orthodox Christians from Kerala (in English, p. 129)

To distinguished members of various non-Catholic Christian Communities admitted in audience (in English, p. 130)

To distinguished members of various non-Christian Communities (in English, p. 130)

To students in the Saint Pius X Seminary, Bombay (in English, p. 133)

To doctors in the Bombay General Hospital (in English, p. 134)

To newspaper men admitted in audience (in English, p. 135)

To the altar boys and children in the Cathedral of Bombay (in English, p. 135)

To the members of the Consular Corps in Bombay (in English, p. 136)

An exhortation in favor of peace, directed to all rulers of States (in English, p. 136)

On departure from the airport of "Santa Cruz" in Bombay (in English, p. 137)

On arrival at the "Fiumicino" airport, Rome, Dec. 5 (in Italian, p. 138)

From his private apartments in the Vatican to the people in the Piazza of Saint Peter's (in Italian, p. 140).

For full details and texts of speeches, in French, see *La Documentation Catholique, 62* (1965)–1–22. In English a full account of the voyage and speeches is given in *The Pope Speaks,* 10 (1964–65)–145–160.

Indonesia: Paul VI, Allocution to Ambassador to the Holy Sec on presenting his credentials, 16 June, 1966 (AAS 58-512).

International Exposition in New York: Cardinal Marella designated as Legate to represent Paul VI. Letter to Cardinal Marella, 20 Feb., 1964 (AAS 56-357).

Iran: Address of Paul VI to the Ambassador from Iran to the Holy See, 1 Dec., 1966 (AAS 58-1183).

Iraq: Allocution to first Ambassador to the Holy Sec. Paul VI, 19 Dec., 1966 (AAS 59-45).

Ireland: Address to new Ambassador to the Holy See. Paul VI, 12 Dec., 1966 (AAS 59-44).

Italy: Allocution, Paul VI to Cardinals, Bishops, Ordinaries of Italy, 6 Dec., 1965 (AAS 58-66).

Paul VI. allocution to entire Hierarchy of Italy in Rome for second reunion of the Vatican Council, 7 Apr., 1967 (AAS 59-404).

Paul VI, allocution to the Italian College Graduates' Catholic Action Movement on their convention theme, "The Problem of God in Present-day Theological Thought." 29 Aug., 1967; reported in *L'Osscrvatore Romano,* 1 Sept., 1967. English version in *The Pope Speaks,* 12 (1967)-347-351.

Japan: Letter to Cardinal Marella, President of the Secretariate for non-Christians, Legate to the celebrations in Japan for the first centenary of

the return of Christian missionaries to that country. Paul VI, 12 Jan 196" (AAS 57-375).

Allocution to His Excellency Seishiro Ogawa, Japanese Ambassador to the Holy See. Paul VI, 4 Feb., 1965 (AAS 57-253).

J.E.C.: Paul VI, Allocution to European Council of the *"Jeunesse Etudiante Catholique,"* 5 Feb., 1966 (AAS 58-215).

Jews: Attitude of the Church and of the Holy See toward the Jews; racial, political, religious. Allocution in English of Paul VI to a delegation of Jewish Americans, 30 May, 1964 (AAS 56-571).

J.O.C.: Allocution of Paul VI to Jocists at Strasbourg, 1 Aug., 1964 (AAS 364).

Third International Convention at Bangkok. Written message of Paul VI to Cardinal Cardijn, 18 Nov., 1965 (AAS 57-1000).

Journée Européenne des Ecoles: Allocution of John XXIII, 11 Feb., 1963 (AAS 55-171).

Katholikentai Radio message of Paul VI to German Catholics in Stuttgart, 6 Sept., 1964 (AAS 56-817). English version in *The Pope Speaks,* 10 (1964-65)-51-54.

Radio message, Paul VI to Catholics in Bamberg, 17 July, 1966 (AAS 58-655).

Kenya: Allocution in English, Paul VI to the first Ambassador to the Holy Sec from the Republic of Kenya, 18 Jan., 1966 (AAS 58-151).

Kimherleys: Vicariate Apostolic of the, raised to diocesan status with title of Diocese of Broome, 7 June, 1966 (AAS 58-868). English version in *Australasian Cath. Record,* 44 (1967)—181—182.

Korea: Address of welcome to Ambassador to the Holy See from the Republic of Korea. Paul VI, 30 Jan., 1967 (AAS 59-151).

Lateran Basilica: Paul VI takes possession; full account of this event, with texts of the address by Cardinal Masella, Archpriest of the Basilica, and of the homily of Paul VI, 10 Nov., 1963 (AAS 55-969).

Latin: Allocution, Paul VI, in praise of Latin language and literature, 16 Apr., 1966 (AAS 58-359).

Latin America: Allocution of Paul VI to the President and Bishops of the Pontifical Commission for Latin America, 9 July, 1963 (AAS 55-680).

Letter, Paul VI to Hierarchy, 29 Sept., 1966, on the presence of the Church in Latin America *{Doc. Cath.,* 63 (1966]—1963—1970). English version in *The Pope Speaks,* 12 (1967)-5O-5S. The occasion was an extraordinary meeting of the Episcopal Conferences at Mar del Plata, Argentina, 7-16 Oct., 1966.

Seventy priests ordained by Paul VI for ministry in Latin America. Allocution, 3 July, 1966 (AAS 58-635).

Xllocution, Paul VI to the Pontifical Commission for Latin America. <0 Nov., 1066 (AAS 50-31).

Message in writing, Paul VI to Presidents of Latin American nations at their meeting in Punta del Este, Uruguay, 12 Apr., 1967 (AAS 59-435).

Lawyers' International Union: Allocution of Paul VI to their central Commission meeting in Rome, 14 May, 1965 (AAS 57-520). English version in /1ΩA4 ACλ—ΊΩ4 TΩA

Lay Apostolate: Allocution of Paul VI to Third International Congress, 15 Oct., 1967. See c. 684; AAS 59-1040.

Commission: Allocution of Paul VI to those attending the meetings of the "permanent Commission of International Congresses of the Apostolate of the Laity," 8 Mar., 1966 (AAS 58-298).

Congress: Allocution of Paul VI, 19 Nov., 1966, to standing Committee preparing for the World Congress of the Apostolate of the Laity to be held in Rome, 11-18 Oct., 1967 (Doc. *Cath.,* 63, [19661-2132).

Decree of Vatican II, *Apostolicam Actuositatem,* on the Apostolate of the Laity, 18 Nov., 1965 (AAS 58-837).

Lenten Preachers: Allocution of Paul VI, 1 March, 1965 (AAS 57-325). English version in *The Pope Speaks,* 10 (1964-65)-228-233.

Longarone: Bursting of Reservoir: Telegram of Paul VI to the Bishop expressing sympathy and sending personal relief subsidy, 10 Oct., 1963 (AAS 55-888).

L'Osservatore Romano: Allocution of John XXIII to members of the staff and other writers for the daily press, 27 Jan., 1963 (AAS 55-99).

Madagascar: Address of Paul VI to His Excellency Filibert Tsiranana, President of the Republic of Madagascar, 1 Dec., 1965 (AAS 57-997).

Address of welcome to Ambassador. Paul VI, 1 Apr., 1967 (AAS 50-395).

Malta: Message in writing, Paul VI to His Excellency Michael Gongi, Archbishop of Malta, on the occasion of the independence of Malta, 7 Sept., 1964 (AAS 56-820).

Allocution, Paul VI to the first Ambassador to the Holy See from Malta, 10 Jan., 1966 (AAS 58-146).

Mariology: As Legate to the International Marian Congress and the Congress of Mariology, both meeting in San Domingo in March, 1965, Paul VI appoints Cardinal Silva Henriquez. Letter, 2 Feb., 1965 (AAS 57-376).

Radio address to the two Congresses (in Spanish); Paul VI, 25 March, 1965 (AAS 57–400).

Special Studies in Mariology. Sec c. 256, ref.

May Devotions in Honor of the Blessed Virgin: Encyclical of Paul VI urging fervent prayers to the Blessed Virgin during the month of May, especially for the Council and for peace, 29 April, 1965 (AAS 57-359).

Members of the Church: Paul VI, Allocution to general audience, 1 June, 1966; reported in *L'Osservatore Romano,* 2 June, 1966; English version in *The Pope Speaks,* 11 (1966)-372-374.

Mexican College in Rome: Written message, Paul VI to Cardinal Archbishop of Guadalajara, 12 Oct., 1967 (AAS 59-1056).

Mexico: Mexican College in Rome. Sec c. 256, ref.

Midde Classes: Allocution on values of social stability. Paul AT to International Institute of the Middle Classes, 1 Apr., 1967 (AAS 59-397).

Missions. See c. 1350, ref.: Consecration of fourteen missionary Bishops. Seminary of the Pontifical Institute for Foreign Missions, dedicated to John XXIII, inaugurated at his birthplace, *Sotto il Monte*. Written message of Paul VI to Cardinal Colombo, Archbishop of Milan, 24 Oct., 1965 (AAS 57-999).

Work of Saint Peter the Apostle. See c. 1350, ref. (AAS 57-301).

World Mission Day; radio message of Paul VI, 23 Oct., 1965 (AAS 979).

Pontifical Missionary Works. Paul VI, Allocution to supreme Council meeting in Rome, 13 May, 1966 (AAS 58-480).

Molecular Forces: Address of welcome, Paul VI to group of scientists who held a week of sessions on this subject in Rome, 23 Apr., 1966 (AAS 58-372).

Monte Cassino: Allocution of Paul VI at consecration of rebuilt monastery and church, 24 Oct., 1964 (AAS 56-983). English version in *The Pope Speaks,* 10 (1964-65)-12O-126.

Mother of the Church: New title of the Blessed Virgin. See c. 1276; Paul VI; 21 Nov., 1964.

New Guinea and Adjacent Islands: Hierarchy established, 15 Nov., 1966 (AAS 59-480). English version in *Australasian Cath. Record,* 44 (1967)-271-273.

Newman, Cardinal John Henry: Paul VI paid him a fervent tribute in his allocution at the beatification of Father Dominic of the Mother of God, 27 Oct., 1963 (AAS 55-1020).

Nicaragua: Allocution, Paul VI to President Schick Gutierrez, 24 May, 1966 (AAS 58-497).

Norway: Address of Paul VI to the King of Norway, 28 Apr., 1967 (AAS 59-431).

Notary Public: Radio message of Paul VI to International Union of Latin Notaries, meeting in Mexico; stresses ideals. *L'Osscrvatore Romano,* 7 Oct., 1965. English version in *The Pope Speaks,* 10 (1964–65)–409–410.

Notre Dame de Paris: Televised radio message of Paul VI to the faithful of France from the church of *"Saint-Louis des Français"* in Rome, on the occasion of the eighth centenary of the famous cathedral, 31 May, 1964 (AAS 56-591). English version in *The Pope Speaks,* 9 (1963-64)-403-406.

Nuclear Treaty: Paul VI sends telegram to the President of the United States, the British Prime Minster, the Head of the State in the U.S.S.R., and the Secretary General of the United Nations on the signing of the treaty banning nuclear experiments, 5 Aug., 1963 (AAS 55-760).

Nyasiland (Republic of Malawi): Message in writing from Paul VI to the Archbishop of Blantyrc and the Christians of that country on the occasion of the proclamation of its independence, 29 May, 1964 (AAS 507).

Oceania: Southern: Hierarchy established, 21 June, 1966 (AAS 59-201). English version in *Australasian Cath. Record,* 44 (1967)–187–189.

Ohmpic Games: Message in writing, Paul VI to Cardinal Doy, Archbishop of Tokyo, on the Eighteenth Olympic Games, to be held in that city, 3 Sept., 1964 (AAS 56-949).

Allocution, Paul VI to members of International Committee, 28 Apr., 1966 (AAS 58-382).

Original Sin: Paul VI, Allocution to "Symposium" of theologians and scholars, 11 July, 1966 (AAS 58-649). English version in *The Pope Speaks,* 11 (1966)-229-235.

Panama: Address to the new Ambassador to the Holy See from the Republic of Panama. Paul VI, 20 March, 1967 (AAS 59-348).

Paraguay: Radio message to the Republic of Paraguay on the feast of the Assumption, 15 Aug., 1967 (AAS 59-867).

Pastoral Ministry: Adjustment to modern conditions. Allocution of Paul VI to a group of Italian clergy, 6 Sept., 1963 (AAS 55-750). English text, *The Pope Speaks,* 9 (1963–64)–158.

Pax Christi: Allocution of Paul VI to prelates and other members of the General International Council of *Pax Christi,* 26 Oct., 1963 (AAS 55-1018).

Allocution to the General International Council, 2 Nov., 1966 (AAS 58-870).

Peace: Balzan Foundation: 1) Allocution of John XXIII to representatives of the press upon the announcement of the award of the Peace Prize by the International Balzan Foundation, 7 March, 1963 (AAS 55-238). 2) Allocution of John XXIII to the Cardinals, Ambassadors to the Holy See, and prelates of the Roman Curia on the occasion of the ceremonial presentation of the Balzan Peace Prize, 10 May, 1963 (AAS 55-448). 3) On the same day, after the conferring of the prize, a second allocution was given to another distinguished audience (AAS 55-450). 4) On the following day, 11 May, 1963, a third allocution was given in the presence of the President and higher officials of the Italian Government, and others (AAS 55-455).—These addresses are remarkable for the deep humility with which the Holy Father speaks of the honor to his own person, while exalting the cause of peace and the contributions that were made to it by his predecessors Leo XIII, Saint Pius X. Benedict XV, Pius XI, and Pius XII.

International John XXIII Foundation: Chirograph, John XXIII, 10 May, 1063. Full text above, p. 172.

Paul VI, in a weekly general audience at Castel Gandolfo, 26 Aug., 1964, made a special plea for peace. Full English text, *The Catholic Mind,* 62 (Dec. 1964)-55-58.

Paul VI asks for prayers, especially of children, for peace. Allocution, 11 Feb., 1965 (AAS 57-314).

Allocution, Paul VI to Diplomatic Corps, 8 Jan., 1966: the Church allied with civil governments in seeking and promoting peace (AAS 58-141).

Mass celebrated by Paul VI in St. Peter's Square, 4 Oct., 1966, for peace. His allocution during the Mass *(Doc. Cath.,* 63 [19661-1837-1842)

Personal messages addressed by Paul VI to governments and highly-placed persons, urging peace: *a)* In *Vietnam:* to President Lyndon B. Johnson, U. S., in English, 30 Dec., 1965; to General Nguyen Van Thicu, President, Saigon, 31 Dec., 1965; to Ho Chi Minh, President of North Vietnam, Hanoi. 31 Dec., 1965; to Podgorny, President of the Supreme Soviet Praesidium, Moscow, 31 Dec., 1965; to President Mao Tse Tung, Republic of China, Pekin, 31 Dec., 1965. The last four messages were all in French; English version of all of them in *Catholic Mind,* 64 (Feb., 1966)–63–64. *b)* In *India and Pakistan:* to Cardinal Gracias,

Bombay, 4 Jan., 1966, in English; to Archbishop Cordeiro, Karachi, Pakistan, 4 Jan., 1966, in English (AAS 58-161).

Written message asking "all men of good will" throughout the world to celebrate the "day of peace" on January 1, 1968. Paul VI, 8 Dec., 1967 (AAS 59-1097). English version in *Catholic Mind,* 66 (Feb., 1968)-55-58.

Philippines. Fourth centenary of the first announcement of the Gospel in the Philippines, celebrated in Cebu. Letter of Paul VI to Cardinal Antoniutti appointing him Papal Legate for the occasion, 25 March, 1965 (AAS 57-570).

Radio address of Paul VI from Rome to the faithful of the Philippines attending the celebration in the Island of Cebu, 2 May, 1965 (AAS 57-530).

Physio-Pathology of the Thyroid. Allocution partly in French, partly in English, of Paul VI, to members of the fifth World Congress of specialists in this field, 25 May, 1965 (AAS 57-592).

Poland. Allocution of Paul VI, 13 Nov., 1965 to Cardinal Wyszynski and the Bishops of Poland who were present at the Council (AAS 57-970).

Allocution, Paul VI at his Mass in St. Peter's to pilgrims gathered in Rome to celebrate the millenary of the Faith in Poland, 15 May, 1966 (AAS 58-483).

Letter, Paul VI to Cardinal Wyszynski and Polish Bishops on millenary of the coming of Christianity to Poland 17 Dec., 1965 (AAS 58-205).

Telegram, Paul VI to Cardinal Wyszynski at opening of millenary celebrations in Poland, 23 Apr., 1966 (AAS 58-393).

Telegram, Paul VI to Cardinal Wyszynski appointing him Legate to the millenary celebrations at Czestochowa, 30 Apr., 1966 (AAS 58-444).

Population Growth and Family Life. Allocution to the fourth meeting of the Commission appointed for this study, in Rome, 27 March, 1965. These experts in moral and pastoral theology, medicine, economics, psychology', demography, and sociology are cordially thanked for their generous and laborious services thus far, and arc urged to bring their studies to completion with as little delay as possible, because of the urgency of the moral, economic, and social problems involved, to which the Church is seeking a clear and unambiguous answer, to guide the conscience of the faithful. Paul VI, allocution, 27 March, 1965 (AAS 57-388). English version in *The Pope Speaks,* 10 (1964-65)-225-227.

Preaching: Allocution. Paul VI to Lenten preachers of Rome, 21 Feb., 1966 (AAS 58-225). English version in *The Pope Speaks,* 11 (1966)-168–172.

Paul VI, allocution to Lenten preachers of Rome, 6 Feb., 1967 (AAS 59-153).

Press: Allocution of Paul VI to writers for the press of various countries, 29 June, 1963 (AAS 55-675).

Allocution of Paul VI to a Piedmontese pilgrimage organized by the Catholic daily, *L'Italia,* 2 May, 1964. Theme: newspaper as teacher. *L'Osservatore Romano,* 4-5 May, 1964. English version in *The Pope Speaks,* 10 (1964-65)-42-43.

Allocution of Paul VI, partly in French, partly in English, to the 15th International Convention of the Periodical Press, meeting in Rome, 30

April, 1965 (AAS 57-507). English version of most of French section in *The Pope Speaks,* 10 (1964-65)-408-409.

Letter of Paul VI to the President of the International Union of the Catholic Press, 7 May, 1965 (AAS 57-579).

Vatican Council II, International Press Office: allocution of Paul VI, 26 Nov., 1965 (AAS 57-991).

Allocution, Paul VI to the *Unione Cattolica della Slampa Italiana,* 29 Jan., 1966 (AAS 58-155).

Primacy of the Pope. See c. 222, Pastoral Office of Bishops, n. 4, and c. 329, Explanatory Note to Constitution *De Ecclesia* (AAS 56-1007).

Privileges: Conclavists in conclave which elected Paul VI. Paul VI, *Motu proprio,* 2 July, 1963 (AAS 55-665).

Procurators: Paul VI, Allocution to special convention of National Center for Catholic Procurators, 9 May, 1966; reported in *L'Osservatore Romano,* 11 May, 1966; English version in *The Pope Speaks,* 11 (1966)–336-338.

Pro Deo. See c. 684, 7 March, 1965; AAS 57-574.

Radio: Paul VI, Allocution to the second "World Week of the Radio," 8 Nov., 1964 (AAS 56-1020).

Radio and Television. Allocution of Paul VI, 10 Feb., 1965 (AAS 57-312).

Radiology. Allocution of Paul VI to the 11th International Convention meeting in Rome, 25 Sept., 1965 (AAS 57-903).

Refugees: Allocution of Paul VI to the Congress of the "Association for the Study of the World Problem of Refugees," 3 Oct., 1963 (AAS 55-897).

Rerum Novarum: Allocution, Paul VI on 75th anniversary of the encyclical 22 May, 1966 (AAS 58-492), English version in *Catholic Mind,* 64 (Sept., 1966)-56-60. This allocution occasioned a *Labor Day Statement* by the N.C.W.C. Social Action Dept., 2 Sept., 1966, reported in *Catholic Mind,* 64 (Oct., 1966)-55-6O.

Televised radio address, Paul VI to Belgian workers on 75th anniversary' of the encyclical, 4 June, 1966 (AAS 58-513).

Roman Curia: Allocution of Paul VI to members of the Roman Curia, 21 Sept., 1963. See c. 242; AAS 55-793.

Rome: Diocese reorganized. See c. 363; AAS 58-115.

Rota, Sacred Roman: Allocution, Paul VI to Auditors, Officials, Advocates, 25 Jan., 1966 (AAS 58-152).

Address of Paul VI. 23 Jan., 1967 (AAS 59-142).

Rotary Clubs. See c. 684, ref. Allocution of Paul VI, 20 Feb., 1965.

Rural Life and Catholic Action. Radio address of Paul VI to young people of both sexes belonging to the *"Mouvement International de la Jeunesse Agricole et Rurale Chrétienne,"* a section of the *"Festival Européen"* held at Stuttgart, 30 May, 1965 (AAS 57-605).

Sacred Heart of Jesus. See c. 1255, ref.; AAS 57-298.

Saint Charles Borromeo: See c. 1276, ref.; AAS 58-87.

Saint Paul: Nineteenth centenary of his coming to Spain. Letter of Paul VI to Cardinal Cicognani, his Legate for that celebration in Tarracona, 31 Dec., 1963 (AAS 56-189).

Radio message of Paul VI in Spanish to those attending the celebration, 26 Jan., 1964 (AAS 56-207).

San Salvador: Messace in writing, Paul VI to Apostolic Nuncio to the Republic of San Salvador, on Catholic education, 25 Dec., 1966 (AAS 59-7).

Second Year in Papacy. Allocution of Paul VI, 24 June, 1965, to Cardinals on major events of previous year: changing world, episcopal conferences, revision of canon law, mixed marriages, birth control, results and prospects from Council's work, cause of peace. *L'Osservalore Romano,* 25 June, 1965, pp. 1-2. English version in *The Pope Speaks,* 10 (1964–65)–213–219.

Seminaries. See c. 1354, ref.

Senegal: Address of welcome to Legate from the Republic of Senegal to the Holy See. Paul VI, 26 Jan., 1967 (AAS 59-149).

Social Communications. See c. 1384; AAS 56-939.

Social Service. Allocution of Paul VI to the Bureau of the International Catholic Union of Social Service, 16 Oct., 1965 (AAS 57-911).

Sodality of Our Lady: Address of Paul VI to Marian Congregations on the occasion of the fourth centenary of the foundation of the *Prima Primaria,* 12 Sept., 1963 *(L'Osservatore Romano,* 13 Sept., 1963). English text, *The Pope Speaks,* 9 (1963-64)-164.

Space Medicine: Allocution of Paul VI to the Rome Congress of specialists in space medicine, 5 Oct., 1963 (AAS 55-86S).

Sport, Psychology of: Paul VI, allocution, 22 April, 1965 (AAS 57-506).

Sports: Allocution of John XXIII to the first Italian National Sports Congress, 25 Jan., 1963 (AAS 55-96).

Stomatology: Allocution, Paul VI to international convention in Rome, 14 Oct., 1966 (AAS 58-1150).

Suffering: Apostolatc of: Allocution. Paul VI, 30 Aug., 1967 (AAS 50-864).

Surgery: Allocution of Paul VI to the 20th International Congress of Surgeons and to the Congress of Cardiovascular Surgeons, 20 Sept., 1963 (AAS 55-860).

Sweden: Address to King Gustav-Adolph on his official visit Paul VI, 16 Mar., 1967 (AAS 59-346).

Switzerland: Radio address of Paul VI to the directors of Radio-Lausannc and the people of Switzerland on the occasion of their celebration of "World Radio Week," 8 Oct., 1963 (AAS 55-884).

Tasks Confronting the Church Today: First radio address of Paul VI delivered from the Sistine Chapel on 22 June, 1963, the day after his election (AAS 55-570).

Tourism: And pastoral care. Allocution of John XXIII to those gathered in Rome for the first Congress of Tourism and Pastoral Care, promoted by the S. C. of the Council, 19 Feb., 1963 (AAS 55-232). See also United Nations.

Spiritual Values Allocution of Paul VI. 21 \pr., 1067 (AAS 50-427). English version of section of, in *The Pope Speaks,* 12 (1967)–365–367.

Traffic Accidents: Allocution of John XXIII to the International Association of Medical Care for Traffic Accidents, 28 Apr., 1963 (AAS 55-397).

Traffic Regulation. Allocution of Paul VI to the Convention of the "International Dialogue for the Moralization of Street Traffic," 2 Oct., 1965 (AAS 57-907).

Tuberculosis: Allocution of Paul VI to the 17th International Congress for the Cure of Tuberculosis, 27 Sept., 1963 (AAS 55-862).

Turkey: Allocution, Paul VI to Legate of the Turkish Republic to the Holy See, 19 Jan., 1967 (AAS 59-141).

Journey of Paul VI to Istanbul, 25 and 26 July, 1967, with full text of addresses delivered during the two days (AAS 59-833-850). English version of sections of, in *The Pope Speaks,* 12 (1967)–265–274.

Turkish Flag, captured in the battle of the Urchin Islands *(Echinadas Insulas),* restored to the rulers of Turkey by order of Paul VI, with a respectful and friendly message, 15 Jan., 1965 (AAS 57-372).

United Nations: *Tourism:* Allocution of Paul VI to those attending the conference held in Rome under the auspices of the United Nations, on tourism, 31 Aug., 1963 (AAS 55-746).

Freedom and Truth oj Information: Allocution of Paul VI to Seminar of U. N. on that subject, 17 Apr., 1964 (AAS 56-387). English version in *The Pope Speaks,* 9 (1963-64)-371-373.

Refugees: Allocution of Paul VI to the Executive Committee of the Program of the United Nations for Refugees, meeting in Rome, 30 Oct., 1964 (AAS 56-996).

Written message of Paul VI in English to Archbishop Martin J. O'Connor as his representative at the ceremonies in San Francisco commemorating the 20th anniversary of the signing of the United Nations Charter, including particularly the "Convocation of Religion for World Peace," 24 June, 1965 (AAS 57-662).

Development Program. Letter, Paul VI to U Thant, Secretary' General, 26 May, 1966 (AAS 58–479).

Science: Allocution, Paul VI to Committee of the U. N. for the application of science and technology to development, 24 Oct., 1966 (AAS 58-53). English version in *The Pope Speaks,* 12 (1967)–61–63.

Venezuela: Address of welcome to new Ambassador to the Holy See, 2 Mar., 1967 (AAS 59-224).

Vietnam: Message in writing, Paul VI to people of Vietnam in national crisis, 30 Aug., 1963 (AAS 55-759).

Telegram of Paul VI to Archbishop of Saigon in condolence for the deplorable events connected with the coup which effected a change of government in that country', 2 Nov., 1963 (AAS 55-1047).

Written message, Paul VI to delegates from the "Council of Religions" established by various religious communities of Vietnam, 15 Sept., 1966 (AAS 58-914).

Written message, Paul VI to Episcopal Conference, 15 Sept., 1966 (AAS 58-911).

Vocations: Paul VI, allocution to national directors of Work for Ecclesiastical Vocations, 3 Dec., 1966 (A.AS 59-34). English version in .-h<s-*tralasian Cath. Record,* 44 (1967)–182–185.

Prayer for. Sec c. 487; AAS 56-396.

Way of the Cross: of Paul VI at the colosseum on Good Friday, 27 March, 1964. After finishing the Stations, His Holiness spoke to the people on the value of suffering with Christ. As a footnote to the text of this speech, the /1.-15 reproduces here (pp. 370-375) the prayers which

he had recited with the people on the preceding January 4 during his pilgrimage to Palestine, as he was about to complete the ascent of Calvary (AAS 56-370). English version in *The Pope Speaks,* 9 (1963-64)–407–410.

Woman. Allocution of Paul VI to women of the *Centro Italiano Femminile,* 30 May, 1965 (AAS 57-595).

Allocution, Paul VI to the *Centro Italiano Femminile,* 12 Feb., 1966 (AAS 58-218). English version in *The Pope Speaks,* 11 (1966)–5–12.

Workers: Allocution, Paul VI to members of Association of Christian Workers of Italy, 1 May, 1966 (AAS 58-387).

Youth: Rural Life: Paul VI, Allocution to the European Youth Congress on Rural Life, 23 July, 1963 (AAS 55-687).

Yugoslavia: Allocution to group of pilgrims to Rome from Yugoslavia. Paul VI, 3 Apr., 1967 (AAS 59-399).

Allocution to new Minister to the Holy See. Paul VI, 22 Dec., 1966 (AAS 59-47).

Message in writing, Paul VI to President of Yugoslavia, 17 Nov., 1966 (AAS 59-227).

CANON 222

Revised Plans for Second Session of II Vatican Council (Paul VI, 12 Sept., 1963) AAS 5S-740.

In a Letter addressed to Cardinal Tisserant, Dean of the Sacred College and head of the group of Conciliar Presidents, Paul VI outlines some revised plans for the second session of the Council. The following is a literal translation of *only the dispositive part* of this letter.

In order to provide suitable helps for the continuation of the Ecumenical Council, which will take place very soon, and to give constant attention to its previous labors, We have determined upon certain plans which We feel will be very useful.

As you know, a Commission for ordering and directing the work of the Council has been formed, whose proper function is to coordinate the work of the Commissions, to follow this work closely and to treat with the Eminent Presidents of the Commissions not only on questions of competency but also on urging and safeguarding the concordance of the *Schemata* with the purpose for which the Council was called.

The *Schemata* have been abridged and revised with a view to have them deal chiefly with general principles, omitting whatever is not to the point: for it is to be regarded as a settled

principle that the Ecumenical Council is for the Universal Church. In revising the *Schemata* care has been taken to make the pastoral character of this Council stand out. The certain and immutable doctrines of the faith, as declared or defined by the Supreme *Magisterium* of the Church and by former ecumenical councils, especially Trent and Vatican I, which are to be faithfully observed, must be explained in a way suited to our time, so that the men of our time may more readily come to embrace those truths and to accept the salvation which Christ has won for them.[1]

The *Schemata* have been reduced in number to 17, and most of them have already been sent to the Bishops.

We have entrusted to Our Venerable Brother Martin J. O'Connor, Titular Archbishop of Laodicaea in Syria, the task of perfecting and expanding the system of communicating notices to the press.

We have also decreed that some Catholic laymen and some representatives of the greater international associations of the Catholic world duly recognized by the Church, be admitted to the meetings of the Council.

Likewise We have arranged that there be again invited to the Council some Observers from among the Christian brethren who are separated from the Holy See, and even that their number be increased. Moreover it has seemed appropriate to consider setting up at the proper time a Secretariate also for those whose religion is not among the Christian confessions.

We inform Your Eminence that the Conciliar Secretariate for extraordinary affairs is abolished, and that three new members have been added to the College of Presidents, namely. Cardinals Stephen Wyszynski, Archbishop of Warsaw, Joseph Siri. Archbishop of Genoa, and Albert Gregory Meyer, Archbishop of Chicago. The function of this College is to see that the norms of the Order of the Ecumenical Council be observed, to solve doubtful questions, and to obviate difficulties that may arise. Soon there will be appointed four Cardinal Delegates or Moderators of the Council, whom We shall commission to direct the work of the Council, succeeding one another in controlling the discussions in the general Congregations, always however

[1] Cf. Allocution of John XXIII of 11 October, 1962, AAS 54- 786; Canon Law Digest, 5, p. 269, ref.

without prejudice to the freedom of the Conciliar Fathers, and to this very end that whatever is proposed there either singly or conjointly may be presented in an orderly and clear manner.

During this second session of the Council we may look forward to a number of reassemblies, it being taken as a rule that the meetings shall be suspended every Saturday and Sunday.

AAS 55-740; Paul VI, Letter, 12 Sept., 1963.

Note: We have not included as a *dispositive* part of this letter the passage which immediately follows the above text, announcing events which were then in the future but are now past, namely: several beatification ceremonies in the Vatican Basilica; the consecration by His Holiness of fourteen missionary Bishops on Mission Sunday (20 October); the celebration of the fifth anniversary of the election of Pope John XXIII (28 October); the fourth centenary of the decree of the Council of Trent on seminaries (4 November); the customary solemn taking of possession of the Archbasilica of the Lateran by the Roman Pontiff (9 November).

Prayer to the Holy Spirit, an *Oratio Imperata* During Sessions of the Council (S. C. Rit., 24 Sept., 1963) AAS 55-838.

A decree of the S. C. of Rites:

In the Apostolic Exhortation to all Bishops which His Holiness Paul VI gave on 14 September, 1963,[1] to invoke the light and help of the Holy Spirit for the happy outcome of the II Vatican Council, His Holiness prescribed "that in all Masses of the Latin rite the *collecta imperata* of the Holy Spirit be recited."

In order to remove all doubt in the execution of this august mandate and in order also that due regard be had to the prescriptions of the Code of Rubrics, this Sacred Congregation of Rites, by order of His Holiness, declares: that the *oratio imperata de Spiritu Sancto* is to be recited in all Masses during the sessions of the Vatican Council; observing, however, the prescription of the Code of Rubrics n. 457 d, which provides: "it is forbidden on all liturgical days of the I and II class, in votive Masses of the I and II class, in sung Masses, and whenever the privileged

[1] AAS 55-733.

commemorations complete the number fixed for the various liturgical days."

All things to the contrary notwithstanding.

From the Secretariate of the Sacred Congregation of Rites, 24 September, 1963.

AAS 55-838; S. C. Rit., 24 Sept., 1963.

Observers From the Separated Churches at the Council

(Paul VI, Allocution, 17 Oct., 1963) AAS 55-878.

Your Eminence, and dear Gentlemen:

We are deeply touched by the noble words which We have just heard: those of the venerated Cardinal President of the Secretariate for the Union of Christians, who introduced you, and those of your worthy spokesman, which have awakened so lively a response in Our own heart.

Our meeting this evening is a renewal in a more intimate atmosphere of the one which we had the other day in the more official and majestic setting of the Council. But the reality, the great reality — is it not the same? It is that you are here, Sirs, dear brothers in Jesus Christ, at Our invitation, to assist at the important event which is the Ecumenical Council.

To approach one another, to meet and greet and know and speak to one another: what could be simpler, more natural, more human? Certainly! But here we have something more: to listen to one another, to pray for one another, and after so many years of separation, after such painful polemics, to begin once more to love one another — that is what makes this encounter so memorable and so full of promise.

Doubtless it would be sufficient for Us to repeat here what We said to you in the Basilica of Saint Peter's on the day of the opening of the second session of the Council: but here in Our library, where We receive private audiences, We can say it in a quite familiar and friendly way. One might attribute to this circumstance a symbolic value, expressing Our desire to receive you not merely on the threshold of Our house but in the very heart of Our intimacy.

The sincerity of Our words and feelings permits Us, nay even demands of Us, this new manifestation of Our sentiments in the simplest language, one which, better than the solemn Latin,

may convey to you something of Our inmost thoughts in your regard.

Once more, then, We say: thank you for having accepted Our invitation; thank you for having come; thank you for your presence at the meetings of the Council. Be assured of Our respect, Our esteem, Our desire to establish the best possible relations with you in our Lord. Our attitude is not a shield for trickery; it leaves no room for any intention to disguise the difficulties which stand in the way of a complete and definitive understanding; it fears neither the delicacy of discussion nor the anguish of waiting. Good faith and charity are the bases which We offer to your presence here. Our esteem for you personally and for the institutions and Christian values which you represent makes it easy for Us to enter with you upon the great dialog, whose duration, in view of doctrinal differences which are not yet resolved, no one today can determine. It is confidence in our Lord Jesus Christ, to whom we are all attached by baptism, which fills Our heart with a serene and powerful hope.

This is not all. We should perhaps add one more remark to show more fully the joy which We derive from your gracious visit, replete with the memory which you have evoked of Our regretted and venerated Predecessor, Pope John XXIII.

Here, then, is that remark: whither do our thoughts instinctively turn when it comes to stating the exact significance of this meeting of the Catholic Church — at the highest and most responsible level, as you see — with the other Christian confessions? There might be a temptation to turn our thoughts toward the past. That would be to lose ourselves in the mazes of history, and surely to reopen wounds that are not yet completely healed.

In Our speech of the 29th of September We ventured to have recourse first of all to Christian forgiveness, on both sides if possible. *Veniam damus petimusque vicissim* (Horace). Our souls need this tranquility if we are to enter upon friendly relations, serene conversations. First, because that is the way of Christ: "If therefore," says the Lord, "thou offer thy gift at the altar, and there thou remember that thy brother hath anything against thee, leave there thy offering before the altar and go first to be reconciled to thy brother; and then coming thou shalt offer thy

gift" (Matt. 5:23-24). It is also the best way for us: to look not at the past but to the present, and especially to the future. Others can and shall pursue researches in past history; at present we prefer to center our attention not on what has been but on what is to be. We are facing a new order to be brought into being, a dream to be realized. Let us borrow the words of Saint Paul: "Forgetting the things that are behind and stretching forth myself to those that are before, I press toward the mark, to the prize of the supernal vocation of God in Christ Jesus" (Phil. 3:13-14). Hope is our guide, prayer our strength, charity our method, in the service of divine truth, which is our faith and our salvation.

Divine truth which one must constantly strive to penetrate in order the more fully to possess it and to live by it. "To search in order to find, and to find in order to search more deeply": this phrase from Saint Augustine which We were happy to hear you cite, Professor,[1] concerns us all; a true Christian is a stranger to immobilism.

On this subject you have given Us points of view which We will not neglect to consider. These developments which you hope for, of a theology which is "concrete and historical," "centered upon the history of salvation," We for Our part would willingly subscribe to them, and the suggestion seems to Us altogether worthy of study and exploration. There are in the Catholic Church institutions which would have no difficulty in specializing more extensively in researches of this sort, and even a new institution might be created for this purpose if the circumstances seem to warrant it.

Before we part, Gentlemen, allow Us to recall one of the sayings of your spokesman: "We are together on the way." It is as much as to say, we have not arrived. No more than yourselves do We expect miraculous and immediate solutions. The fruits that we hope for must be a long time ripening through study and prayer. Any apparent or improvised reconciliations which would dissimulate the difficulties instead of solving them, far from hastening our progress, would retard it.

For Our part, as for the watcher in Isaias, it is: "Watchman, what of the night? Watchman, what of the night?" We are on

[1] The spokesman, Dr. Skydsgaard, professor of theology at the University of Copenhagen.

the lookout, eager to discern and happy to record whatever signs in the dead of night may seem to be forerunners of a luminous dawn, that is, some indications of a genuine progress in the dialog, of a step forward toward a better understanding between persons who draw their sustenance from the same Gospel and who bear in the depth of their souls the joyous appeal of Saint Paul to the Ephesians: "One Lord, one faith, one baptism, one God and Father of all, who is above all, and through all, and in us all" (Eph. 4:5-6).

It is this Father of mercies, Father of our Lord Jesus Christ in whom we believe, whom We wish to invoke, Gentlemen, as We bid you farewell. To Him We consign Our desires, Our expectations, Our hopes; of Him We implore for all of you peace and joy, graces and all blessings. And We salute you in the words of the great Apostle whose name We have taken: "The grace of our Lord Jesus Christ be with you. My charity be with you all in Christ Jesus. Amen."

AAS 55-878; Paul VI, /^locution, 17 Oct., 1963.

Secretariate for Non-Christians in Vatican Council II

(Paul VI, Ap. Letter, 19 May, 1964) AAS 56-560.

For future remembrance. — In the course of the Second Vatican Ecumenical Council We have judged it expedient that a special Body or Secretariate be established for the purpose of exercising a salutary influence on those who are outside the Christian religion, persons to whom also these words of the Lord seem to be applicable: "Other sheep I have that are not of this fold: them also I must bring" (Jn. 10:16). And the Church, which carries on the work of Christ, must respond to the ardor of this divine charity, especially in these times when there are so many interrelations among men of every race, language, and religious belief. Accordingly, of Our own motion, from certain knowledge and after mature deliberation and in the fullness of Our Apostolic power, We by this Letter erect and establish a special Body or Secretariate for non-Christians, and We elect and proclaim as its President Our beloved son Paul Cardinal Marella, distinguished for his prudence and very

expert in the science of religions, and We give him all the faculties which are necessary and appropriate for fulfilling this office successfully in the Lord. All things to the contrary notwithstanding.

Given at Rome, from Saint Peter's under the ring of the Fisherman, this 19th day of May in the year 1964, the first of Our Pontificate.

AAS 56-560; Paul VI, Ap. Letter, 19 May, 1964.

Note: Pope Paul VI had already announced on 17 May, 1964, in the course of his Pentecost sermon, that this secretariate would be established (AAS 56-248); English version in *The Pope Speaks,* 10 (1964-65)-76-81.

Celibacy: Public Discussion in Council Inopportune (Paul VI, Letter, 11 Oct., 1965) Private.

Toward the end of the morning of 11 October, 1965, in the course of the 146th General Congregation of Vatican II, Cardinal Tisserant had the Secretary General of the Council read a letter addressed to him by the Pope. His Holiness had learned that some of the Fathers had the intention of taking up in public session the problem of the celibacy of priests in the Latin Church. Without wishing to hamper the freedom of the Fathers, the Pope makes known his opinion:

"It is not opportune to debate publicly this subject which demands the greatest prudence and is of such great importance. And We intend not only to conserve, as far as in Us lies, this long-standing, holy, and providential law, but even to confirm its observance by calling on priests of the Latin Church to give due consideration to the causes and reasons which today — yes especially today — give great relevance to this very law, thanks to which priests can center their love entirely on Christ and give themselves wholly and generously to the service of the Church and of souls."

Paul VI concludes by saying that if a Father of the Council feels that he should express his opinion on this subject, he may put it in writing and deliver it to the Presidential Council to be transmitted to the Pope, who will consider it carefully in the presence of God.

(Private); Letter of Paul VI to Cardinal Tisserant, communicated to the Council during its 146th General Congregation, 11 Oct., 1965.

Note: This report is taken verbatim from *Documentation Catholique, 62* (1965)–2183-2184. In the footnotes to the report, several excerpts from the European Catholic Press on it are given, namely: a) from the *Miinchener katholische Kirchenzcitung* (14 Nov.), a statement by Cardinal Doepfner strongly approving the Pope's letter; ò) from *La Croix* (15 Oct.), a report that three Brazilian Bishops had prepared motions to be presented to the Council on the subject, one of which by Bishop Koop, of Linz, was reproduced in substance by *Le Monde* (12 Oct.)

Pastoral Office of Bishops (Cone. Vat. II., Decree, 28 Oct., 1965) AAS 58-673.

The *principal points of law* enacted by this Decree (when it becomes effective)[1] are as follows:

Teaching Authority of Bishops. Bishops, by the Holy Spirit who is given to them, are made true and authentic Teachers, Pontiffs and Shepherds of the Faith (n. 2).

This episcopal function of theirs, which they received through episcopal consecration, the Bishops, sharing in the solicitude of all the Churches, exercise in communion with and under the authority of the Supreme Pontiff, as regards teaching and pastoral government, when they are all united in a College or body concerned with the universal Church of God (n. 3).

Collegiality. 'The Order of Bishops, which succeeds the College of the Apostles in teaching and pastoral government, and in which the apostolic body continues to exist, together with its Head, the Roman Pontiff, and never without this Head, is also a subject of supreme and full power in the universal Church,

[1] This Decree and several other conciliar documents were promulgated with a *vacatio legis* suspending their effectiveness until 29 June, 1966. But a *Molu proprio* of 10 June, 1966 extended the suspension indefinitely. The other documents subject to the same suspension are those on the Adaptation and Renewal of Religious Life, on the Ministry and life of Priests, on Formation of Priests, on the Apostolate of the Laity and on the Mission Activity of the Church. See also the Allocution of 31 Jan., 1966; AAS 58-150, reported below, p. 256.

a power, however, which cannot be exercised without the consent of the Roman Pontiff." (Quoted in n. 4 of the Decree, from the Constitution on the Church, Chapter III, n. 22).

Membership in an Ecumenical Council. All Bishops who are members of the College of Bishops have the right to take part in an ecumenical Council (n. 4).

Dispensing Power. Diocesan Bishops have power to dispense the faithful subject to them, in particular cases, from a general law of the Church, unless a special reservation has been declared by the Supreme Authority of the Church (n. 8).

Auxiliary Bishops. Unless the competent authority has provided otherwise, the powers and faculties which Auxiliary Bishops have by law do not expire with the office of the Bishop of the Diocese (n. 26).

It is desirable that when the see becomes vacant, unless there are serious reasons to the contrary, the charge of governing the diocese be given to the Auxiliary Bishop, or if there are several, to one of them (n. 26).

Coadjutor With Right of Succession. The Coadjutor Bishop, that is, one who is appointed with the right of succession, should always be named Vicar General by the Bishop of the Diocese. And in particular cases he may be given broader faculties by the competent authority (p. 26).

Vicar General: Episcopal Vicars. Tn the diocesan Curia the office of Vicar General is pre-eminent. But when the right government of the diocese demands it, the Bishop can appoint one or more Episcopal Vicars for a certain part of the diocese, or for certain classes of business, or for the faithful of a particular rite; and these Vicars will have by the law itself the same powers in their field, which the Vicar General has by common law (n. 27).

Pastors: Appointment, Removal, Transfer. The Bishop is to be free in appointing pastors; hence rights of presentation, nomination, or reservation are to be suppressed, without prejudice to the provisions of law regarding religious pastors. Competitive examinations, whether general or special, for appointments to parishes, are to be suppressed. The distinction between removable and irremovable pastors is to be abolished. The pro-

cedure for the removal and transfer of pastors is to be simplified, the guiding principle being canonical equity and the good of souls (n. 31).

Erection and Suppression of Parishes. The Bishop can on his own authority erect or suppress parishes and make other innovations for the good of souls (n. 32). No special mention is made here of the national parishes referred to in canon 216, § 4.

Aid of Religious to Bishops. In these days of increased pastoral needs, religious priests should be ready to give even greater aid to Bishops in the apostolate (n. 34).

Exemption of Religious. The exemption of religious Orders is recognized; but it concerns chiefly the internal order of the institute. All religious, exempt and nonexempt, are subject to local Ordinaries in matters which concern the public exercise of divine worship (without prejudice to diversity of rites), the care of souls, preaching to the people, the religious and moral education of the faithful, especially of children, liturgical formation, the diginity of the clerical profession, and various apostolic works (n. 35, 3 and 4).

Schools of Religious. "The Catholic Schools of Religious are subject to the local Ordinaries as regards their general arrangement and vigilance, without prejudice to the rights of the religious as to their management. Religious are bound to observe whatever Councils or Conferences of Bishops have legitimately decreed to be observed by all" (n. 35, 4).

Conferences of Bishops. A Conference of Bishops is a body in which the Bishops of a certain nation or territory (or of several, with the approval of the Holy See) exercise their pastoral office in conjunction with one another in order more effectively to promote the apostolate by forms and methods adapted to our time (n. 38, 1).

Membership. r\ll local Ordinaries of whatever rite, except Vicar Generals; also Coadjutors, Auxiliaries, and other titular Bishops who have a special function given them by the Apostolic See or by the Bishops' Conference, belong to the Conference. Other titular Bishops and the Legates of the Roman Pontiff are not *de iure* members (n. 38, 2).

Voting. Local Ordinaries and coadjutors have a deliberative vote. The Auxiliaries and other Bishops who have a right to attend the Conference have either a deliberative or a consultative vote, as determined by the statutes of the Conference (n. 38, 2).

Organization. Every Bishops' Conference must draw up its statutes, to be approved by the Holy See, in which among other things, provision is made for offices adapted to the purpose intended, for example, a permanent Council of Bishops, episcopal Commissions, a General Secretariate (n. 38, 3).

Force oj Decisions. The decisions of the Conference, provided they are passed by a two-thirds vote of those who have a deliberative vote in the Conference, and are approved by the Holy See, have the force of a juridical obligation in those cases only in which either the common law so prescribes or a special mandate of the Holy See, given *motu proprio* or at the request of the Conference so provides (n. 38, 4).

Mixed Conferences. Where special circumstances make it advisable, the Bishops of several nations may, with the approval of the Holy See, constitute one Conference. Relations with Conferences of other nations are encouraged (n. 38, 5).

Inter-ritual Meetings. Oriental Prelates are earnestly invited to encourage inter-ritual meetings in places where there are Churches of different rites (n. 38, 6).

General Mandate. The Sacred Council decrees that in the revision of the Code of Canon Law appropriate laws be enacted according to the principles laid down in this Decree, taking into account the observations made either by the Commissions or by the Fathers of the Council (n. 44).

The Council moreover decrees that a general Directory on the care of souls be prepared for the use of Bishops and pastors, to give them definite methods for fulfilling their pastoral functions more effectively (n. 44).

There should be composed also a special Directory on the pastoral care of special groups of the faithful, suited to the circumstances of the various nations or regions, as well as a Directory for the catechetical instruction of the Christian people. This should deal with the fundamental principles and arrangement of such instruction and with the composition of books

on the subject. In making up these Directories also, the remarks made by the Commissions and by the Fathers of the Council should be taken into account (n. 44).

AAS 58-673; Cone. Vat. II, Decree on the Pastoral Office of Bishops, 28 Oct., 1965. Annotations, *L'Ami du Clergé,* 75 (1965)-680-687; 689-692 (Dclhaye); *Periodica,* 56 (1967)–88–115 (Buijs).

Decree on the Adaptation and Renewal of Religious Life (Cone. Vat. II, 28 Oct., 1965) AAS 58-702.

The Decree on the Adaptation and Renewal of Religious Life was approved on 28 October, 1965, with a period of suspension which has been indefinitely extended.[1] The following are excerpts (with quotes) or summaries from the text.

This Decree presents the general principles of adaptation and renewal for religious institutes and, with due allowances, also for societies of common life without public vows and secular institutes. Particular norms for the application of these principles will be established by the competent authority after the Council (n. 1).

General Principles, a) Since the ultimate norm of religious life is the following of Christ according to the teaching of the Gospel, this must be the supreme law for all institutes.

b) The good of the Church requires that various institutes have their proper character and function. Hence the spirit and specific aims of the founders, together with sound traditions, are to be clearly presented and faithfully maintained.

c) Every institute must be in communion with the life of the Church and, with due regard for its own peculiar character, must embrace and favor wholeheartedly the initiatives and aims of the Church in the biblical, dogmatic, pastoral, ecumenical, missionary, and social fields.

d) The institutes must promote among their members adequate information on the conditions of human society in our time, and on the needs of the Church, so that, wisely discerning in the light of faith the particular character of the world of today, they may be able more effectively to help the people.

e) The religious life aims first of all to have its subjects follow Christ and unite themselves to God by professing the

[1] See footnote 1 to the Decree on the Pastoral Office of Bishops, reported above, p. 232.

evangelical counsels; hence it is evident that even the best adaptations to the needs of our time will be useless unless they are inspired by a spiritual renewal. This must always be given the first place, even in the development of exterior works (n. 2).

Practical Criteria of Adaptation and Renewal.[2] The organization of life, prayer, and work must be properly adapted to the actual physical and psychic conditions of the individual religious, and also, as far as is required by the character of each institute, to the needs of the apostolate, to the demands of culture, and to social and economic conditions; this applies everywhere, but especially in mission countries.

The same criteria are to be applied in a re-examination of the system of government of the institutes. Hence there is need for a suitable revision of the constitutions, directories, custom books, books of prayers and ceremonies, and other collections of the sort, suppressing what is out of date and conforming to the documents of the Council (n. 3).

Monastic and Conventual Life. The venerable institutions of monastic and conventual life are to be esteemed and preserved, with such adaptations as may be required (n. 9).

Lay Institutes. "The Council declares that in institutes of brothers the General Chapter may provide that, while the lay character of the institute be firmly maintained, some of the members may receive sacred orders in order to perform priestly ministries in their houses" (n. 10).

Poverty. "Religious congregations can by their constitutions permit their members to renounce inheritances, both those which have been acquired and those which may be acquired" (n. 13).

The Common Life. "So that all the members may be more closely knit by the bond of brotherly love, those who are called *conversi,* coadjutors, or some such name, should be drawn closely into the life and work of the community" (n. 15).

"Unless circumstances really suggest a different arrangement, there should be in communities of women only one class of Sisters. Only that distinction of persons should be retained which corresponds to the diversity of works for which the Sisters are destined by a special vocation or by special aptitudes" (n. 15).

2These headings arc not strictly official; they were in the schema but were omitted in the final text of the Decree.

"As for institutes or monasteries of men which are not exclusively lay institutes, they can, according to their proper character and as determined by the constitutions, accept clerical and lay members on an equal footing, with the same rights and obligations, excepting such as derive from sacred orders" (n. 15).

Cloister of Nuns. "Papal cloister should be maintained in the case of nuns engaged exclusively in the contemplative life, but it should be adapted to circumstances of time and place, suppressing practices that are out of date, after hearing the expressed preferences of the monasteries themselves" (n. 16).

"Other nuns applied by rule to apostolic works outside the convent should be exempted from papal cloister in order to enable them better to fulfill the apostolic duties entrusted to them. Nevertheless, cloister is to be maintained according to the prescriptions of their constitutions" (n. 16).

Institutes and Monasteries which Are on the Decline. "Institutes and monasteries which are found to be in a decadent condition, if in the opinion of the local Ordinary and of the Holy See they give no well-founded hope of renewed vitality, will be forbidden to receive novices, and if possible they will be merged with some other institute of like purpose" (n. 21).

Conferences of Major Superiors. Conferences between major superiors of various institutes are encouraged; they should collaborate with the episcopal conferences in matters pertaining to the apostolate (n. 23).

Religious Vocations. Religious institutes have the right to make themselves known so as to foster vocations and seek candidates. They should do this with the required prudence, observing the norms established by the Holy See and the local Ordinary (n. 24).

AAS 58-702; Cone. Vat. II, Decree on the Adaptation and Renewal of Religious Life, approved 28 Oct., 1965. Annotations, *Vida Religiosa,* 22 (1965)–369–377 (Peinador); *L'Ami du Clergé,* 75 (1965)–753–76S (Dclhaye); *Australasian Cath. Record,* 44 (1967)–144–151, 235-244, 325-336 (Connolly); *Periodica,* 55 (1966)-430-498, 653-693; 56 (1967)-3-60. 331-356, 519-553; 57 (1968)–80–130 (Beyer); *The* IFay: Supplement 4 (Nov., 1Qo7)-1-11Q (Orsy, Walsh, Guy, Molinari).

Dogmatic Constitution on Divine Revelation (Cone. Vat. II., 18 Nov., 1965) AAS 58-817.

The Constitution of the Second Vatican Council on Divine Revelation is, as its title indicates, dogmatic. The only one of

its provisions which directly concerns canon law is the following, which radically affects the prohibition contained in canon 1399, 1°:

22. Since the word of God must be available in all ages, the Church with maternal solicitude takes care that suitable and correct translations be made, especially from the original texts of the Sacred Books. If on occasion, with the consent of ecclesiastical authority, such translations are produced as a common project with our separated brethren, they may be used by all Christians.

AAS 58-817; Cone. Vat. II, Dogmatic Constitution on Divine Revelation, 18 Nov., 1965.

OFFICIAL NOTIFICATION

On November 15, 1965, at the 171st General Congregation of the Council, the Secretary General of the Council issued the following Notification:

It has been asked what *theological qualification* should be given to the doctrine set forth in the Schema of the Dogmatic Constitution on Divine Revelation which is to be voted on.

The Commission on the Doctrine of Faith and Morals has given the following reply to this question, in accordance with its Declaration of 6 March, 1964:

"In view of conciliar practice and the pastoral purpose of the present Council, this Sacred Synod declares that only those things are to be held as defined by the Church in the matter of faith and morals, which the Council itself has openly declared as such.

"As for other matters, which the Sacred Synod presents as the doctrine of the Supreme *Magisterium* of the Church, all and each of the faithful are bound to accept and embrace them according to the mind of the Council, which is to be learned from the nature of the subject and the mode of expression, according to the norms of theological interpretation."

Pericles Felici
Secretary General

Note: A photocopy of this Notification was kindly supplied by Monsignor John S. Quinn, Officialis of the Matrimonial Tribunal of the Archdiocese of Chicago. The Notification was published in French in *Documentation Catholique,* 63 (1966)-!5.

Post-Conciliar Organization and Aetion (Paul VI, Allocution, 18 Nov., 1965) AAS 57-978.

This Allocution, delivered in the Council at its second-last public session on November 18th, is an important document, but transitional in character. For practical purposes a condensed and informal summary may be better than a complete version. Its principal features are the following.

The Post-Conciliar Commissions. Three are already constituted, namely: for the Liturgy, for the revision of the Code of Canon Law, for the media of social communication. Others will be established as soon as practically possible.

The Synod of Bishops. Already established,[1] to be convened for the first time, probably in 1967 (the year 1966 being already crowded with urgent business).

Secretariates. Three have been formed: Christian Unity; Non-Christian Religions; Unbelievers.

Conferences of Bishops. Their powers and activity will promote growth and unity in the Church.

The Roman Curia. It has done and is doing excellent work for the Church. It is by no means to be considered antiquated, inept, self-interested or corrupt. Like every human institution it is capable of improvement and it will be renovated as outlined in paragraph 9 of the Decree on the Pastoral Office of Bishops. This renovation has been begun and will continue. The reorganization of the Holy Office is in the near future.[2]

Moral and Spiritual Renewal. More important than these juridical reforms is our moral and spiritual renewal. What should be our attitude in the post-Conciliar period? The Council seems to present three successive phases. The first was one of enthusiasm; the second, of effective development; the third, now about to begin, must be one of resolution — acceptance and execution of the Conciliar acts.

The Pope describes some reactions that made their appearance toward the end of the Council. Here we quote verbatim:

"In some sectors of public opinion everything was discussed

1 Cf. *Motu proprio,* 15 Sept., 1965, reported in this volume, p. 388.

2 Cf. *Motu proprio, 1* Dec., 1965; AAS 57-952; reported in this volume, p. 358.

and was considered proper matter for discussion. Everything seemed difficult and complex; nothing was spared from criticism nor exempt from impatient quests for novelty. Feelings of anxiety were rife: movements of opinion, attitudes of fear, audacious proposals, arbitrary positions. Here and there doubt was insinuated even in regard to fundamental norms of truth and authority, until at last the voice of the Council began to make itself heard: calm, maturely weighed, solemn."

The aggiornamento, sometimes falsely understood as a relativization of everything in the Church — dogmas, laws, structures, traditions — to make them conform to the spirit of the world, really means for us an enlightened understanding of the spirit of the Council and the faithful implementation of its decrees.

The last part of this allocution announces the opening of processes of beatification for Pius XII and John XXIII, the building of a church in Rome to be dedicated to Mary, Mother of the Church, and the extraordinary post-Conciliar Jubilee.[3]

AAS 57-978; Paul VI, Allocution, 18 Nov., 1965.

Ministry and Life of Priests (Cone. Vat. IL, Decree, 7 Dec., 1965) AAS 58-991.

The Decree of the Second Vatican Council on the Ministry and Life of Priests was approved on 7 December, 1965, with a *vacatio legis* which was later extended indefinitely. (See footnote 1 to the Decree on the Pastoral Office of Bishops, reported above under this same canon). We report only those points which are more or less directly concerned with ecclesiastical law.

The Bishop's Council. In a section which, in the schema, was entitled "Relations between the Bishops and Their Clergy," there is a passage which reads as follows:

"Let them (the Bishops) be willing to listen to their priests, even to consult them and speak to them about the pastoral work and the good of the diocese. To carry out this plan there should be created, in the manner best suited to actual conditions and

[3] The Apostolic Constitution of 7 December, 1965 proclaiming the Jubilee was published in AAS 57-146 and is reported below, p. 243.

needs, a group or senate of priests, the structure and function of which will be determined by law. This organism, representing the *presbyterium,* can help the Bishop effectively by its counsels concerning the government of the diocese" (n. 7)?

Excardination and Incardination. "The rules concerning excardination and incardination should be revised. This very ancient institution may be retained, but it should be better adapted to actual pastoral needs" (n. 10).

Benefices: Not to Be the Principal Source of Support for Priests. "The principal role (in the support of priests) should be assigned to the functions which the sacred ministers perform. It follows that the system of 'benefices' should be abandoned, or at least reformed, so that the beneficial aspect, that is, the right to income from an endowment attached to the function, be regarded as secondary. The law should give priority to the ecclesiastical function itself, a designation which shall hereafter apply to any charge conferred in a stable manner and to be exercised in view of a spiritual purpose" (n. 20).

Social Security and Health Insurance. "In countries where Social Security is not yet rightly organized for the clergy, the Episcopal Conferences, always taking into account the provisions of ecclesiastical and civil law, should see that there are organizations, either diocesan — eventually to be federated among themselves — or interdiocesan, or an association established for the whole territory, for the purpose of providing, under the control of the hierarchy, on the one hand eventual medical care and assistance, and on the other a fund available to priests in cases of infirmity, invalidism, or old age. The priests will support the organism thus established, in a spirit of solidarity with their brethren, thus *sharing in their tribulation* (cf. Phil. 4, 14)" (n. 21).

z\AS 58 991; Cone. Vat. II, Decree on the Ministry and Life of Priests, 7 Dec, 1965.

l A footnote at this point (footnote 41 in the official text) reads in part as ffollows "In the actual stale of the law, the Bishop has as his senate or council the Cathedral Chapter (canon 391), or in default of that, the board of Diocesan Consultors (canons 423-428). But it is desirable that these institutions be revised in order to respond better to actual needs. This group of priests (referred to above) is evidently distinct from the 'pastoral council' mentioned in the Decree on the Pastoral Office of Bishops, n. 27. For that group was to have also some lay members, and was to be competent only to study and report on pastoral problems."

Post-Conciliar Extraordinary Jubilee (Paul VI, Ap. Const., 7 Dec., 1965) AAS 57-946.

A wondrous event to which the entire family of Catholics and even the whole of mankind turned their hearts and minds with increasing interest through these four years, namely the Second Vatican Council, has just ended. We believe that this event demands from Us an equally momentous act which will not only leave on men's minds a lasting memory of the magnificent assembly, so significant for the present as well as the future course of the Church, but also, and this is more important, will prepare the minds of the faithful to hold fast to the injunctions of this most holy synod.

On reflection it seemed to Us, as We have already announced, that nothing could be more efficacious to this purpose than the celebration of an extraordinary jubilee. We consider this the best way of publicly rendering thanks to Almighty God, as it is most proper to do, for the bountiful gifts He has conferred on the Church. This divine bounty becomes evident through the solicitous and enthusiastic manner in which the Council was prepared and through every moment of its four-year duration filled with animation and fruitfulness. This jubilee will give us the opportunity to implore divine help for these our times when the concerted volume, as it were, of hopeful and exultant voices leads us to expect that men of our age will gain manifold benefits from it.

The jubilee then — to Our mind — can offer to the faithful of good will a special opportunity to receive Christian strength, and can bring about in the domestic, public, and social life of all that renovation which We long for so eagerly, and to which alone the Council just concluded was directed.

Nor is it without cause that We promise such rich fruits from this jubilee. For if we look back over the history of the Church, we learn indeed that an institution of this kind has never proved anything but profitable. This is a truth which the words of Pius XII, Our Predecessor of venerable memory, among a host of other witnesses, show clearly, when he announced the Holy Year of 1950: "For if men listen to this voice of the Church, if they turn their attention from earthly and changeable things to those which are eternal and will always remain, then doubtless that

most desirable renovation of souls will take place by which not only the lives of individuals but public life also will be brought into harmony with Christian precepts and with the Christian spirit."

For these reasons, following in the footsteps of Roman Pontiffs, Our Predecessors, and after consultation with Our venerable brothers, the Cardinals of the Holy Roman Church, by the authority of Almighty God, of the blessed Apostles Peter and Paul, and Our own, for the glory of God, the salvation of souls and the increase of the Catholic Church, We declare and promulgate in this letter, and wish to be held as declared and promulgated, an extraordinary jubilee in each and all dioceses throughout the whole world: to begin on January 1 of next year, 1966, and to close on the feast of Pentecost, that is, on Maj' 29 of that same year.

Having announced this special season of grace, this copious fountain of heavenlj' favors, We would like to outline what things we should ask and strive for at such a special time.

Purposes of the Jubilee

In the first place We would ask of all the faithful — as did Our Predecessors in similar circumstances — that wonderful change of heart which can only be wrought in the deep recesses of the human person, namely in the practice of the virtue of repentance. With this the sacrament of Confession is associated, a sacrament in which the faithful are washed, as it were, in the precious blood of Christ. But this change also requires that Christians, for their own enrichment, be joined as closely as possible with the divine Redeemer of men, who, whether in the unbloody re-enactment of the Sacrifice of the cross, the cause of our salvation, or by the gift of His Eucharistic Body, so raises and perfects our souls that we come to a true and fraternal fellowship in the divine life.

And so it is Our hope that this jubilee which We have promulgated will inspire the best Christians to even higher things and will move the good ones to greater alacrity in carrying out the duties of daily life according to the commandments of God. We earnestly hope also that during this time of propitiation, those who are far from the fount and principle of grace, those especially who have inadvisedlj' either forgotten or thrown away their faith

in God, will use this exceptional opportunity which is now offered, and thus make their peace with God.

Moreover, We ardently desire that the followers of Christ be not satisfied merely with living blameless lives, but that as much as human effort allows, they earnestly seek after holiness of life. This includes a firmer determination to practice effectively the Christian virtues, especially charity; a sincere resolution to follow Christ crucified; and a constant preoccupation with enlarging the kingdom of God. This will mean for the Church a return to her youthful vitality and as a result a new awareness, the intensification of her original dynamism for the salvation of souls. At the same time this will necessarily bring to fruition throughout the Church the many labors which the ecumenical Council undertook with so much effort. We summarized briefly these benefits in Our first encyclical, expressing the hope that from the Council "will come glory for God, joy for the Church, and edification for the world."

Since the Council which We have just brought to a close has rightfully been termed the "Council of the Church," because in this Council the Spouse of Christ understood more exactly the God-given commandment of saving the souls of men, We now think it entirely fitting for the jubilee to have as its purpose that all the faithful, members both of the sacred hierarchy and of the laity, achieve a deeper appreciation of the Church and a more enlightened and active realization of this truth. For this reason, during the sacred period of time which follows, it is indispensable that the Church continue on the path which We indicated for her during the Council: "The Church should deepen her own self-awareness; she ought to meditate on that mystery which is hers; for her own enlightenment and for her own encouragement she ought to investigate more deeply the doctrine concerning her origin, her nature, her mission, her goal. This is a doctrine which the Church already knows and which was developed and diffused during the past century. However, it is a teaching that can never be said to have been sufficiently investigated and understood."

Since nothing else in Our opinion can better contribute to the realization of these salutary recommendations, We consider it normal to ask that this sacred jubilee be celebrated in each diocese and that it be centered on the cathedral and on the one

Bishop to whom the flock has been entrusted as to a father and pastor.

The Cathedral and the Jubilee

For the cathedral of the diocese often bears splendid witness with its masterpieces to the artistic taste and devotion of our ancestors. But its first claim to honor is that, according to the very meaning of its ancient name, it houses the Bishop's chair or "cathedra." This "cathedra" is the center of unity, order, power, and of the authentic teaching authority which is united with Blessed Peter. To this should be added that the cathedral building, because of its imposing dimensions, points to that spiritual temple which is built interiorly in the souls of men and which owes its splendor to divine grace, according to the words of Saint Paul: "For you are the temple of the living God."

The cathedral is to be considered as a visible representation of the Church of Christ which prays, sings, and worships upon earth. Indeed it is to be considered as an image of His Mystical Bodv whose members are united in charity and nourished bv the outpourings of heavenly gifts; for, as we read in the z\mbrosian rite of the feast of the dedication of a church: "This is the mother of all, ennobled by the multitude of her children: daily by the Holy Spirit she bears children to God: the whole world is filled with her branches: and by carrying the cross she sends forth her shoots to the kingdom of heaven. This is the lofty citv raised upon the mountain top, visible to everyone, manifest to'all."

So it is appropriate that during the coming jubilee, when the faithful go to attend sacred ceremonies or sermons, or to gain the special remissions (more generally called indulgences) of punishment due to sin, they should go, either individually or in groups, to the principal church of the diocese.

Bishops

We have said that the jubilee we are going to celebrate is centered on the Bishop as its support, and consequently We encourage the Church's children to gather around him.

Since the Bishops are now returning to their Sees at the close of the Council, filled with a holy zeal and purpose to urge the

faithful to carry out the resolutions of the Council, their priests and all Christian people in the diocese should gather round them to show their gratitude for their unremitting labors in the Council; to show once more their filial honor and respect, and above all to pledge their cooperation by prayer, by their lives, and by their voluntary penances. The clergy, religious men and women, and all lay confraternities should closely join together and come for the wise fatherly guidance of their pastors who, in the significant statement of the Second Vatican Council, "should so sanctify the churches committed to them that the meaning of the whole Church of Christ may shine forth in them."

For his part, the Bishop, while presiding in virtue of his authority over all these groups of the Christian family entrusted to his care, giving directions for the apostolate, and encouraging them to charity and prayer, should ensure that by solemn external celebrations the interior harmony and unity of mind and heart of the flock with their shepherd be made manifest.

The Bishop should especially see to it that in this time of salvation special courses of sermons be held in his cathedral, in which the Council decrees be explained; that there be missions and devotions for clergy and people, particularly during Lent in preparation for Easter — all of these directed to inspire in all an ardent desire for their renewal.

As for Ourselves, since We consider that it can contribute to the good accruing from this jubilee, We grant by Our apostolic authority to confessors legitimately approved for hearing confessions, the following faculties, which they may use only during the time We have mentioned, in the forum of conscience and in sacramental confession.

Special Faculties

Thus confessors can:

1) Absolve from all censures and ecclesiastical penalties any penitent who has knowingly professed in some outward form heretical, schismatical, or atheistic doctrines, provided he be sincerely sorry and in the presence of the confessor expresses detestation of his errors and promises to repair any scandal he may have given. The confessor is to impose a suitable and salutary penance and to recommend the frequent reception of the sacraments.

2) Absolve from censures and ecclesiastical penalties those who knowingly have read or retained without the necessary permission, books written by apostates, heretics, or schismatics, propounding and promoting apostasy, heresy, or schism, or other books forbidden by name by apostolic letters. The confessor is to impose a suitable and salutary penance and to warn the penitent about the careful custody or destruction of such books.

3) Absolve from censures and ecclesiastical penalties those who have joined a Masonic organization or other societies of the same kind which plot against the Church or against civil au thority, provided that the penitent withdraws completely from the organization or society and promises to repair and prevent in so far as he can any scandal or harm. The confessor is to impose a grave and salutary penance commensurate with the gravity of the offense.

4) Release the faithful from all private vows, including those reserved to the Apostolic See, by commuting them, according to the circumstances of the case, to other acts of penance or works of piety, provided that the prior rights of others are not thereby prejudiced.

Plenary Indulgences

Moreover, during this time of propitiation, We grant a plenary indulgence to all the faithful without distinction, who after being cleansed in the sacrament of penance and nourished by Holy Communion, offer prayers for Our intentions:

1) As often as *either* they be present on at least three occasions at explanations of the decrees of the Second Ecumenical Vatican Council or at sermons preached on the occasion of a mission, *or* they devoutly attend the Sacrifice of the Mass celebrated with some solemnity by a Bishop in a cathedral church.

2) Once only, if within the same prescribed time they visit a cathedral church and there renew their profession of faith, using any legitimate formula.

We also willingly grant the faculty to all Bishops to impart once, on some convenient day within the same period, on the occasion of an important celebration, the papal blessing, with a plenary indulgence attached, to be gained by the faithful who,

with the dispositions mentioned above, devoutly receive the blessing.

In order that this Constitution may the more easily be brought to the knowledge of all, We ordain that copies of it, even though they be printed, provided however that they be signed by a Public Notary and bear the seal of an ecclesiastical dignitary, shall be accorded the same credence as this present document itself would receive were it produced and exhibited. Let no one therefore detract from this document of Our proclamation, promulgation, grant, and will, nor with rash temerity oppose it.

From Saint Peter's, Rome, the 7th day of December, 1965, the third year of Our Pontificate.

AAS 57-946; Paul VI, Ap. Const., 7 Dec., 1965. Annotations, *Periodica,*. 55 (1966)–93–107 (Navarrcte) ; *L'Osservatore Romano,* 6-7 Dec., 1965, p. 4; *Documentation Catholique,* 63 (1966)–77–81.

Catholic-Orthodox Mutual Excommunications Revoked

(Vatican Council II, Joint Declaration, 7 Dec., 1965) AAS 58-20.

At the last public Session of the Second Vatican Council, 7 Dec., 1965, a joint declaration of Pope Paul VI and Athénagoras, Patriarch of Constantinople, was read from the records of the Secretariate for the Union of Christians. The substance of the declaration is as follows:

Pope Paul VI and the Patriarch Athénagoras, certain of expressing their common desire of justice and the unanimous sentiment of charity of their faithful, declare by common accord:

a) that they regret the offensive words, the groundless accusations, and the reprehensible gestures on both sides, which marked or accompanied the deplorable events of that period;[1]

b) that they also regret and delete from memory and from the midst of the Church the sentences of excommunication which followed upon those events, the remembrance of which is to this day an obstacle to reconciliation in charity. These excommunications are hereby consigned to oblivion;

[1] Namely, the events which culminated in the year 1054 in the excommunication of the Patriarch Michael Cacrularius and two other Orthodox prelates by legates of the Holy See, and of those legates themselves by the Patriarch and Synod of Constantinople.

c) that they deplore the unfortunate antecedents and the events which followed them, which, as a result of various causes, mutual misunderstanding and mistrust among others, finally led to the effective rupture of ecclesiastical communion.

AAS 58-20; Joint Declaration in Vatican Council II, 7 Dec., 1965.

Note: Besides the above Joint Declaration there is an Apostolic Letter of the same date, 7 Dec., 1965, in which His Holiness personally expresses the same sentiments. It is headed, *Caritatis officia erga Ecclesiam Constantinopolitanam*. This Apostolic letter also was read at the last public session of the Council (AAS 58–40). Full text of the document in *Catholic Mind,* 64 (May, 1966)–59–61.

Messages of the Council to Various Social Groups (Cone. Vat. II, 8 Dec, 1965) AAS 58-10.

At the end of the ceremonies for the closing of the Council, 8 December, 1965, before the Brief closing the Council was read, His Holiness Paul VI gave a short introductory address which was followed by seven messages of the Council to seven distinct social groups, each message being read as a conciliar document, by a designated Cardinal.

Introductory Address of Paul VI

Venerable Brothers:

The hour of departure and dispersal has struck. In a few moments you will be leaving the conciliar assembly to face the world of men. You will bring them the good news of the Gospel of Christ and the renovation of His Church at which we have been working together for the last four years.

This is a unique moment, a moment of incomparable significance and depth. In this universal assembly, at this privileged point of time and space, the past, the present, and the future converge. The past, for here has come the Church of Christ, with her tradition, her history, her Councils, her Doctors, her Saints. The present, for we go to meet the world of today, with its miseries, its pains and its sins, but also with its prodigious successes, its values, its virtues. The future too is there, in the imperious call of the peoples for greater justice, in their will for peace, in their thirst, be it consciously recognized or not, for a

higher life, precisely what the Church of Christ can give and wishes to give them.

We seem to hear, rising from all parts of the world, an immense and confused murmur, the questioning from all those who look to the Council and are anxiously asking us: Have you not something to say to us? To us who govern? To us intellectuals, workers, artists? To us women? To us, the young, the sick, and the poor?

These imploring voices shall not remain unanswered. It is for all categories of human beings that the Council has been laboring these four years. It is for them that it worked out that "Constitution on the Church in the Modern World" which We promulgated yesterday amid the enthusiastic applause of your assembly. From our long meditation on Christ and His Church there must spring forth now a first word heralding peace and salvation for the waiting multitudes. The Council, before dispersing, wishes to fulfill this prophetic function and to present in brief messages in a language that all can understand, the "good news" which it has for the world. These messages will now be addressed to the whole human race in your name, by several of those highest in authority of those who speak for the Council.

Messages of the Council to the World

The Seven messages and their announcers were;

To those engaged in government (Cardinal Lienart)
To thinkers and men of science (Cardinal Leger)
To artists (Cardinal Suenens)
To women (Cardinal Duval)
To workers (Cardinal Zoungrana)
To the poor, the sick and the suffering (Cardinal Meouchi)
To the young (Cardinal Agagianian)

AAS 58-10; Conc.Vat. II, Messages to various social groups, 8 Dec., 1965.

Gaining Jubilee Indulgences in Churches Other Than Cathedral (S. Paen., 20 Dec., 1965) AAS 57-1018.

Since several Bishops have asked that the Jubilee Indulgences granted to the faithful by the Apostolic Constitution *Mirificus*

eventus might be gained also by those for whom, because of special circumstances of place or time, access to the cathedral church is difficult, the Supreme Pontiff by divine Providence Pope Paul VI, by this decree of the Sacred Penitentiary, graciously grants to all local Ordinaries — if they judge that it will be conducive to the greater success of the Jubilee — the faculty to designate, in addition to the cathedral church, one or more other churches of the diocese, in which the faithful may likewise gain the Jubilee Indulgences.

Given at Rome, from the Sacred Penitentiary, the 20th of December, 1965.

AAS 57-1018; S. Paen., Decree, 20 Dec., 1965.

Scholastic Philosophy in Priestly Formation (S. C. Sem. et Univ., 20 Dec., 1965) Private.

Question: The S. C. of Seminaries and Universities was asked: What is the proper and concrete meaning of the words "a philosophical heritage which is perennially valid," which occur in n. 15 of the Decree *Optatam totius* of Vatican II on Priestly Formation?

Reply: The meaning of these words is found in the Encyclical *Humani Generis* of 12 August, 1950 (AAS 42, [1950] 561), as indicated in the footnote attached to those words. It is also clear from the documents of the Council that the Commission on Seminaries, Studies, and Catholic Education have understood the patrimony of a perennially valid philosophy as referring to the principles of Saint Thomas.

Private) ; S. C. Scm. et Univ., 20 Dec., 1965; reported in *Commentarium pro Religiosis,* 45 (1966)–337, and *Seminarium,* 6 (1966)–65.

Postconciliar Commissions (Paul VI, *Motu proprio,* 3 Jan., 1966-) AAS 58-37.

Now that the Second Ecumenical Council of the Vatican, which was called and begun by Our Predecessor of venerable memory John XXIII, and continued and completed by Us, has come to a close, the excellent benefits of which for the Catholic religion will surely prove permanent, We deem it a part of Our Apostolic office to devote Our attention and efforts to seeing that the

provisions enacted by that illustrious Body and promulgated by Us be put into effect as soon as possible.

To this end, as is well known, We established the Commission for Implementing the Constitution on the Sacred Liturgy and the Pontifical Commission in Charge of the Means of Social Communication. As for the revision of the Code of Canon Law, Our Predecessor of happy memory John XXIII established a special Commission which is already at work in accordance with the decree of the Council.

But, as the sacred Council issued some new decrees after these bodies were established, some new Commissions must likewise be set up, whose labors and counsel may be of service to Us in proposing the norms for putting those decrees into practice.

Accordingly, by this *motu proprio* Apostolic Letter, We decree and ordain as follows:

1. For the purpose of completing the work and providing suitable norms for putting into effect by Our authority the new laws enacted by the Council, We now establish new Commissions, which will be called postconciliar.

2. In accordance with the decrees of the Council, We establish the following postconciliar Commissions:

a) the Commission on Bishops and the Government of Dioceses;

b) the Commission on Religious;

c) the Commission on Missions;

d) the Commission on ChristianEducation;

e) the Commission on the Apostolate of the Laity.

3. Each of these Commissions shall concern itself only with the matter which the corresponding Commission of the Council had for its province.

4. The President, the President's Vicars, the members and the Secretary' of these Commissions, will be the same as those who had these functions in the corresponding Conciliar Commission. And each Commission will be governed, as far as they are applicable, by the Regulations for the Celebration of the II Vatican Council.[1]

5. Moreover, We establish a Commission which will be called the Central Commission, whose function it shall be to coordinate

[1] *Motu proprio,* 6 Aug., 1962; AAS 54-609, reported in Canon Law Digest, 5, pp. 243-267.

the work of all the Commissions and to refer their proposals to Us, after having carefully considered them.

This same Commission will have authority to interpret the Constitutions and Decrees of the Council when it seems necessary or useful to do so. Wherefore it shall be properly designated as the *Central Commission for Coordinating the Work after the Council and for Interpreting the Decrees of the Council.*

6. At the head of this Central Commission, as delegated by Us, both the Cardinal who in the Council was First in the *Presidential* Committee,[2] and the Cardinal who at that same time was the President of the *Commission for Coordinating the Work of the Council.*[3]

The members of this Central Commission shall be the Cardinals who were members of the Commission which We have just now mentioned.

7. The Central Commission shall have a Prelate, called Secretary General, who shall be assisted by Subsecretaries when he is present and replaced by them when he is absent or unavailable. The offices of Secretary General and Subsecretaries in this Commission shall be taken by the same persons who had the corresponding offices in the Ecumenical Council. They shall take part in the Central Commission.

8. It is also the part of the Secretary General not only to assemble all the acts and documents of the Council and arrange them in a general archive, but also to see to the printing of those that are to be published.

9. Both the Central Commission and each of the postconciliar Commissions shall have Consultors who, for questions on which they are really well informed, shall be chosen by the President and approved by the Supreme Pontiff, mostly from among those who served as Experts in the Council.

10. The Commissions shall make every effort to finish promptly the work assigned them, so that the Decrees of the Council may

2Cf. the *Regulations* cited in note 1, above, Art. 4, §2; Canon Law Digest, 5, p. 247.

3 The establishment of this Commission is mentioned in a Letter of Paul VI to Cardinal Tisserant, 12 Sept., 1963; AAS 55-740, reported above on p. 224, under the heading Revised Plans for Second Session of II Vatican Council.

be put into effect as soon as possible. When the work is finished, the Commissions will come to an end.

11. In order to promote relations with the Christians who are still separated from this Apostolic See, We confirm the Secretariate Jar *Christian Unity* which was established by Our Predecessor of venerable memory John XXIII by the Apostolic Letter *Superno Dei nutu* of 5 June, 1960.[1] This Secretariate shall consist of the same personnel that it had during the Council.

Moreover, to show Our solicitude toward all men, We establish two other Secretariates, one for non-Christians, the other for unbelievers.

All that We have decreed in this *motu proprio* Apostolic Letter, We ordain to remain firm and valid, all things to the contrary notwithstanding.

Given at Rome, from Saint Peter's, the 3rd day of January, in the year 1966, the third of Our Pontificate.

AAS S8-37; Paul VI, *Motu proprio,* 3 Jan., 1966.

Extraordinary Jubilee: Interpreted Extensively as to Indulgences (S. Paen., Declaration, 6 Jan., 1966) AAS 58-105.

Since not a few local Ordinaries have proposed questions and doubts concerning the jubilee Indulgences granted by the Apostolic Constitution *"Mirificus eventus,"*[*] in order to put an end to all hesitancy in explaining the said Constitution, by express mandate of His Holiness by divine Providence Pope Paul VI, the Sacred Penitentiary declares that a plenary Indulgence can be gained by the faithful who have gone to confession, received Holy Communion, and who pray according to the mind of the Supreme Pontiff:

1. As often as they are present on at least three occasions at explanations of the decrees of the Second Vatican Council in any church or any suitable place;

2. As often as they devoutly listen to at least three sermons preached on the occasion of a sacred mission in any church:

3. As often as they devoutly assist at the Eucharistic Sacrifice celebrated by any Bishop with some solemnity in a cathedral

[1] AAS 52–433, reported in Canon Law Digest, 5, p. 239, n. 9, p. 242.
[*] 17 Dec., 1965; AAS 57-946, reported above, p. 243.

church or in another church designated by the local Ordinary in accordance with the decree of the Sacred Apostolic Penitentiary of 20 December, 1965;2

4. Once only, during the time of the extraordinary jubilee, if they piously visit the cathedral or some other church designated by the local Ordinary as above, and there renew the profession of faith, using any legitimate formula;

5. If they receive with pious dispositions the Papal Blessing which is to be given once on the occasion of the principal celebration by the local Bishop or his Coadjutor or Auxiliary or by some other Bishop to be lawfully delegated.

It is proper that the local Ordinary, if he wishes to designate for gaining the indulgences one or more churches besides the cathedral church, should choose the more important churches in the diocese, such as the principal church of a deanery, or a well-known sanctuary.

It is also very highly recommended that the instruction on the decrees of the Ecumenical Council, which are preferably to be given in any parish church or in some other parish center, be crowned by a pilgrimage to the cathedral or to some other church designated by the local Ordinary as above, to which the faithful of that place or order should come, as far as possible, in a body.

All confessors, in virtue of canon 935 of the Code of Canon Law, can commute the above-mentioned pious works prescribed for gaining the jubilee Indulgences, in favor of the faithful who, being prevented by some lawful impediment, are unable to perform them.

Given at Rome, from the Sacred Apostolic Penitentiary, 5 January, 1966.

AAS 58–105; S. Pacn., 5 Jan., 1966.

The λλork of the Central Postconciliar Commission (Paul VI, Allocution, 31 Jan., 1966) AAS 58-159.

This Allocution of Paul VI to the Cardinals and Prelates of the *Central Commission for Coordinating the Work ajter the Council and jor interpreting the Decrees oj the Council,* is as follows:

-AAS 57-1018, reported above, p. 251.

Venerable Brothers:

That happy clay on which, with solemn rites, the Second Ecumenical Council of the Vatican came to an end, still lingers in Our memories. It is, as it were, in the light of that day even now beaming its radiance, that We heartily salute you, gathered here once more beside the tomb of Peter to begin the highly important work which necessarily pertains to the Council after its close. You are to devote your well-known diligence and zeal to the work of that chief deliberative body known as the "Central Commission for Coordinating the Work after the Council and for Interpreting the Decrees of the Council."[1]

The fact is that the work of the Second Ecumenical Council of the Vatican is not yet finished; a richly fruitful field lies open before us, but the harvest is still to be gathered and made available to men; we have received, as it were, an abundant heritage,, but its fruits remain to be distributed to the Christian people.

What has been decreed and established in the Council under the guidance of the Holy Spirit needs not only to be thoroughly known but also to receive, if necessary, an authentic interpretation, so that its genuine meaning may be clearly grasped. Moreover, these decrees must be earnestly put into practice. It is time for words to be accompanied by action. What the Council in its ample sessions has proposed must be actuated in the very life of the Church. It is by such vital action that the Council itself will receive its confirmation.

Your Central Commission, therefore, has especially two functions: first, to interpret the acts of the Council, and second to make properly all the preparations and dispositions which are necesary to that end.

The first task is the special function of your Commission. The charge entrusted to you, Venerable Brothers, is one in which you will perform a most important service to the Holy See in a very weighty matter. For every effort must be made to see to it that no doubts arise about the Council's decrees, and that no one interpret them arbitrarily or twist them from their true sense. Here We may repeat the words that were spoken by Our Predecessor Pope Pius IV in confirming the Council of Trent: "If

[1] The establishment of this Central Commission and an outline of its work and organization were announced in the *Motu proprio* of 3 January,. 1066, AAS 58–37, reported above, p. 252.

any one feels that anything in these decrees was said or done obscurely and therefore needs some interpretation or decision, let him have recourse to the place which the Lord chose, that is, to the Apostolic See, teacher of all the faithful."[2]

As for the second function of the Commission, it will be sufficient carefully to promote and provide with suitable intercommunications, that is, to "coordinate," the work of the other Commissions which were established after the Council and are striving, each in its own sphere, to put its decrees into execution.

You know that some of the decrees were suspended as to their effect, in order to give the Commissions time to work out norms for putting them into practice. But this *vacatio legis* will come to an end at the appointed time.

The work of these various Commissions should be done according to similar and not disparate methods, and when the work is finished, documents should be drawn up which represent a certain common position. To this end, therefore, your Commission should direct its efforts.

There are moreover other things — and they are neither few nor unimportant — which must be done in this time immediately after the Council. In undertaking and carrying out these projects you may have to enlist the interest of other persons and to confirm and direct their action. Among works of this type are the Acts of the Council, which must be printed and are awaited by many persons with an eagerness beyond belief. In order that they may come to the knowledge of every one, these Acts will have to be translated into the current vernacular languages.

A history of the Council will have to be written, observing of course the wise precepts of the ancients, of which the first is: "Let him not dare say anything false nor fear to tell anything that is true; let no suspicion of courting favor appear in the writing, nor sign of animosity."[3] Whatever has to do with bibliography, or statistics, by which men and things are computed by numbers, must be prepared with care and expert skill.

But, though all this calls upon you to bestir yourselves and to offer your cooperation, you should apply even greater energy

2 *Cone. Trid. Actorum,* p. VI, cd. St. Ehses, Herder, 1924, p. 1154.

3 ".Ve *quid falsi dicere audeat; deinde ne quid veri non audeat; ne quae suspicio gratiae sit in scribendo, ne quae simultatis."*—Cicero, *De Or.* 11, 15.

to seeing that the norms for putting the decrees of the Council into effect be published in due time. Consequently, this work must be begun without delay, developed without interruption, and skillfully brought to completion. And with the prudence which We recognize in you, you will see to it that those matters connected with this work which should remain secret be not divulged and bandied about.

In pursuing this new and arduous but noble task. Venerable Brothers, one on which the effectiveness of the Council will largely depend, you will add to the merits you have already won from your work in the Council, new ones, which will not only profit your souls but also redound abundantly to the benefit of the whole Church. Professing Our thanks for your alacrity and helpful service, which We value very highly, and invoking the successful accomplishment of your work, We heartily bestow upon you Our Apostolic Blessing.

AAS 58-159; Paul VI, Allocution, 31 Jan., 1966.

Period of Suspension for Some Council Decrees Extended (Paul VI, *Motu proprio,* 10 June, 1966) AAS 58-465.

Summary of Introductory Recitals: In this *motu proprio* Apostolic Letter, Paul VI recalls that after the close of the Second Vatican Council he had declared that several of its decrees would go into effect on 29 June, 1966? Later by the Apostolic Letter of 3 January, 1966, he established several Postconciliar Commissions[1] to work out, under the guidance of the Central Commission, the norms for putting these decrees into effect. These Postconciliar Commissions have done their work and reported their proposals to the Central Commission. This Commission reported the proposals to the Pope with some remarks and criticisms and recommended that the decrees implementing these conciliar documents be gradually made public.

1 The decrees for which this period of suspension was announced were *Christus Dominus* (Pastoral Office of Bishops); *Perfectae Caritatis* (Renewal of Religious Life); *Presbyterorum Ordinis* (Ministry and Life of Priests); *Optatam Totius* (Priestly Formation); *Apostolicam Actuositatem* (Apostolate of the Laity); *Ad Gentes* (Missionary Activity of the Church). Ci. The Pastoral Office of Bishops, reported above, p. 232, footnote 1.

2 AAS 58-37, reported above, p. 252.

The above is a summary of the introductory portion of the *Motu proprio.* The dispositive part is verbatim as follows.

Dispositive Provisions: Accordingly, while We commend the diligence and zeal with which the Commissions have done their work so that the norms which they propose might conform as fully as possible to the mind of the Council, We are happy to announce that all the so-called executory decrees will soon be published.

However, this will be done gradually, not only because that is certainly the mind of the Central Commission, but also so that the Conciliar Decrees may be put into effect conveniently and in proper order, especially as some of the constitutive norms and some of the postconciliar groups based on the provisions of the Council are connected with the proposed reform of the Roman Curia, which We have already begun.

For these reasons We decree that the period of suspension which was to terminate on the 29th of this month be somewhat extended so as to end on a certain day to be designated in each of the executory decrees, which, as We hope, will be promulgated as soon as possible.

We have great confidence that these executory norms, designed to make the sacred decrees of the Council more abundantly fruitful, will be promptly and cheerfully accepted by all the faithful, so that the holy Church of God will shine with new splendor as the standard raised aloft for the salvation of the entire human race.

All that We have decreed by this *motu proprio* Apostolic Letter. We ordain to be firm and valid, all things to the contrary notwithstanding.

Given at Rome, from Saint Peter's, the 10th day of June in the year 1966, the third of Our Pontificate.

AAS 58-465; Paul VI, *Motu proprio,* 10 June, 1966.

Doctrine of Vatican II: Strange Interpretations Current

(S. C. Doct. Fid., 24 July, 1966) AAS 58-659.

A Letter of the Sacred Congregation for the Doctrine of the Faith, signed by Cardinal Ottaviani, was sent with the approval of Paul VI to all the Episcopal Conferences on *24 July, 1966.*

To the Venerable Prelates of the Episcopal Conferences:

Since the Second Ecumenical Council of the Vatican, recently brought to a happy termination, has promulgated some very wise documents concerning both doctrine and discipline, in order more effectively to promote the life of the Church, all the people of God have a serious duty to strive with all earnestness to put into practice everything that was solemnly proposed or decreed by that vast gathering of Bishops under the guidance of the Holy Spirit and the presidency of the Supreme Pontiff.

On the other hand, the Hierarchy has the right and duty to supervise, direct, and promote the renewal which the Council set in motion, so that the Documents and Decrees of the Council may be rightly interpreted and be put into effect with precise fidelity to their proper sense and intention. For this doctrine must be defended by the Bishops, invested as they are with the office of teaching authoritatively under the leadership of Peter. And, to their credit, many of these Shepherds have already begun to explain properly the doctrine of the Council.

Unfortunately, however, from many sources dismaying reports have come, of growing abuses in the interpretation of the Council's doctrine, and of strange and· bold opinions springing up here and there, which have seriously disturbed a number of the faithful. Researches and efforts to investigate the truth more deeply are praiseworthy, provided the distinction is clearly kept between what must be believed and what is a matter of opinion. But documents which this Sacred Congregation has examined show that there are many current declarations which go far beyond the limits of simple opinions or hypotheses and seem to affect in some degree the very dogma and foundations of the faith.

It will be useful to mention by way of example some of these statements and errors as they appear from reports furnished by learned men and from published writings.

1) In the first place there is Sacred Revelation. Some, purposely disregarding Tradition, have recourse to Sacred Scripture, but restrict the scope and force of biblical inspiration and inerrancy, and hold false views on the historical value of the texts.

2) As regards the doctrine of the Faith, dogmatic formulas are

declared to be so subject to historical evolution that their objective meaning is subject to change.

3) The ordinary *magisterium* of the Church, especially of the Roman Pontiff, is sometimes so neglected and so little esteemed that it is almost reduced to the category of mere opinion.

4) Some scarcely acknowledge any absolute objective truth, firm and immutable; they regard everything as subject to a kind of relativism, on the mistaken ground that all truth must necessarily follow the rhythm of the evolution of conscience and history.

5) Even the adorable Person of our Lord Jesus Christ is attacked, for in the rethinking of christology the concepts of nature and person which are employed are such as can hardly be reconciled with defined dogmas. A sort of christological humanism creeps in, reducing Christ to the status of a mere man who arrived gradually at the consciousness of his divine Sonship. His virginal conception, His miracles, even His Resurrection, are verbally acknowledged but really reduced to the merely natural order.

6) So too, in the theological treatise on the Sacraments, certain elements are either ignored or receive insufficient attention, especially in regard to the Most Holy Eucharist. There are those who dispute about the real presence of Christ under the appearances of bread and wine, proposing an exaggerated symbolism as though the bread and wine were not changed into the Body and Blood of our Lord Jesus Christ, but were merely transferred to a certain symbolic significance. There are also some who unduly urge the concept of *agape* in the Mass, as taking precedence over the idea of Sacrifice.

7) Some choose to explain the Sacrament of Penance as a means of reconciliation with the Church, not expressing sufficiently the reconciliation with God who has been offended. They even claim that for the celebration of this sacrament the personal confession of one's sins is not necessary, and so they seek to express only the social function of reconciliation with the Church.

8) As for the teaching of the Council of Trent on original sin, some either make little of it or present it in such a way that the

original sin of Adam and the transmission of sin itself are at least clouded.

9) In the field of moral theology, errors are no less current. Several go so far as to reject the objective nature of morality; others refuse to accept the natural law and assert the legitimacy of so-called *ethics oj the situation.* Pernicious opinions are advanced regarding morality and responsibility in the matter of sexuality and marriage.

10) Besides all this, something must be said about Ecumenism. Certainly the Apostolic See has praise for those who, in the spirit of the Conciliar Decree on Ecumenism, promote projects designed to foster charity for our separated brethren and to draw them toward the unity of the Church. But it deplores the fact that some are interpreting the Decrees of the Council in their own way and are urging a type of ecumenical activity which is contrary to the truth of the Faith and the unity of the Church, favoring a dangerous irenicism and indifferentism, a thing which is utterly foreign to the mind of the Council.

It is true that these errors and dangers, taken singly, are scattered here and there; but taken all together in a summary group, they are presented to the local Ordinaries in this letter, so that each one according to his function and office may take proper measures to restrain or forestall them.

This Sacred Congregation earnestly prays the local Ordinaries, when united in their respective Episcopal Conferences, to take action in this matter and to report to the Holy See offering their advice on it, before the feast of the Nativity of our Lord Jesus Christ of this current year.

This letter, which obvious reasons of prudence prevent from being made public, is to be kept strictly secret by the Ordinaries and by any other persons to whom they may for sufficient reason decide to communicate it.

Rome, 24 July, 1966.

AAS 58-659; S. C. Doct. Fid., 24 July, 1966.

Note: It is evident that the injunction of secrecy has lost its force since the Letter was published in the *Acta Apostolicae Sedis* of 30 September, 1966, with the permission of the Supreme Pontiff. An official foonote attached to the report in the AAS reads as follows:

We have received permission to publish this Letter so that its actual contents may be known, because, in spite of the fact that the nature

of the letter demanded all possible discretion, certain daily papers have not hesitated to publish some parts of it without attending to its true character. As a consequence, doubts have arisen as to its actual contents and the purpose which the Holy See had in mind in writing it.

Norins for the Implementation of Some Decrees of the Council (Paul VI, *Motu, proprio,* 6 Aug., 1966) AAS 58-757.

This *Motu proprio,* beginning with the words *Ecclesiae Sanctae,* is as follows:

The government of Holy Church assuredly demands that after the celebration of the Second Ecumenical Council of the Vatican new norms be established and new arrangements be made which will meet the needs brought to light by the Council and will be better adapted to the new aims and fields of the apostolate which the Council has opened up for the Church in the world of today, profoundly changed as it is, needing a radiant light and yearning for the supernatural warmth of charity.

Prompted therefore by these considerations, as soon as the Ecumenical Council ended, We appointed study Commissions which would apply their learning and experience to the task of proposing definite norms for executing those decrees of the Council which had previously been suspended as to their effect. These Commissions, as We were happy to state in the *Motu proprio* letter of 10 June, 1966, beginning with the words *Munus Apostolicum,'* worked faithfully at their task and at the appointed time reported their conclusions to Us.

After carefully considering these proposals, We think the time has now come to publish the norms. However, since this is a matter of discipline, in which experience may suggest some further changes, and since, moreover, a special Commission is revising and amending the Code of Canon Law. in which all the laws of the Church will be arranged as a whole in a more consistent, adapted, and definite form, We believe that We will be acting with wisdom and prudence if We present these norms *by way of experiment.*

During the interval the Bishops' Conferences may make known to Us their observations and the comments which the practice of

1 AAS 58—465, reported above, p. 250.

the norms will perhaps suggest to be made, and may make new proposals to Us.

Therefore, after mature reflection, of Our own motion and by Our Apostolic authority, We decree and promulgate the following norms for the implementation of the decrees of the Council which begin with the words: *Christus Dominus* (on the Pastoral Office of Bishops), *Presbyterorum Ordinis* (on the Ministry and Life of Priests), *Perfectae Caritatis* (on the Adaptation and Renewal of Religious Life), and *Ad Gentes* (on the Missionary Activity of the Church); and We ordain that they be observed by way of experiment, that is, until the new Code of Canon Law is promulgated, unless in the meantime different provision be made by the Holv See.

These norms will go into effect on the 11th of next October, feast of the Maternity of the Blessed Virgin Mary, the day on which, four years ago, the Sacred Council was solemnly opened by Our Predecessor of venerable memory, John XXIII.

All that We have established by this *Motu proprio* Letter, We ordain to be firm and valid, all things to the contrary notwithstanding, even though they be worthy of most special mention.

Given at Rome, from Saint Peter's, on the 6th day of August, feast of the Transfiguration of our Lord Jesus Christ, in the year 1966, the fourth of Our Pontificate.

1

NORMS FOR THE IMPLEMENTATION OF THE CONCILIAR DECREES "CHRISTUS DOMINUS" AND "PRESBYTERORUM ORDINIS"

The episcopal office, which the Sacred Second Council of the Vatican placed in a clearer light in the dogmatic Constitution *Lumen gentium* and the Decree *Christus Dominus,* is divinely established for the building up of the Mystical Body of Christ, which is the Church.

For this reason the Sacred Pastors are bound to fulfill with enduring care their charge to teach, to sanctify, and to feed the People of God, generouslj' sharing with the Roman Pontiff solicitude for all the Churches, providing zealously for the right government of the dioceses entrusted to them, and working together actively for the common good of many Churches.

In the government of the dioceses entrusted to them the Bishops have as necessary helpers and counselors especially the priests, and they should therefore willingly listen to and even consult them, saving always in all matters the power of the Bishops to act freely, to establish methods and regulations, and to enact laws according to their conscientious official responsibility and the principles of government in the Church (cf. the dogmatic Constitution *Lumen gentium,* n. 27).

Hence, in order to enable Bishops to exercise their pastoral office more easily and more aptly, and to put into practice more effectively the principles which were solemnly approved by the Sacred Council in the two Decrees, *Christus Dominus* and *Presbyterorum Ordinis,* the following norms are established.

The Distribution of the Clergy and the Aid to Be Given to Dioceses

{Christus Dominus, η. 6; *Presbyterorum Ordinis,* n. 10)

1. If it seems advisable, a special Commission will be set up in the Apostolic See, whose function it will be to propose the general principles which should govern the distribution of the clergy in view of the needs of the various Churches.

2. It will pertain to the Patriarchal Synods and the Bishops' Conferences, observing the prescriptions of the Apostolic See, to establish ordinances and regulations for the Bishops, to assure a suitable distribution of the clergy, both those of their own territory and those coming from outside, such as will provide for the needs of all the dioceses in their territory, and at the same time look to the well-being of Churches in mission lands and in countries suffering from a scarcity of priests. Hence, in every Conference of Bishops a Commission should be established to examine the needs of the various dioceses of the territory and their potentiality for ceding some of their own clergy to other (hurches, and to carry out the decisions made and approved by the Conferences concerning the distribution of the clergy and to report them to the Bishops of the territory.

3. Io facilitate the transfer of clerics from one diocese to another keeping the system of incardination and excardination, while adapting it to new circumstances — the following regulations are to be observed:

§ 1. Clerics in seminaries are to be so trained that they will be solicitous not only for the diocese for whose service they are ordained, but for the whole Church as well, and that they will be ready, with the permission of their own Bishop, to devote themselves to particular Churches whose needs are grave and urgent;

§ 2. Except in a case of real necessity in their own diocese, Ordinaries or Hierarchs should not refuse permission to emigrate to clerics whom they know to be willing and whom they consider fit to go to countries suffering from a grave shortage of clergy, to carry on the sacred ministry there. However, they should see to it that the rights and duties of their clerics be clearly determined by a written agreement with the Ordinary of the place to which they go;

§ 3. These Ordinaries should see to it that clerics who intend to migrate from their own diocese to that of some other country, be properly prepared for the practice of the sacred ministry there; that is, that they acquire a knowledge of the language of the country, and have some understanding of its institutions, its social conditions, and its usages and customs;

§ 4. Ordinaries can give permission to their clerics to transfer to another diocese for a specified time, even to be renewed repeatedly, but in such a way that the clerics remain incardinated in their own diocese and that when they return to it they shall have all the rights which they would have had if they had been applied to the sacred ministry there;

§ 5. A cleric who legitimately transfers from his own diocese to another is *ipso turc* incardinated in this latter diocese at the end of five years, if he has manifested that intention in writing to both the Ordinary of the guest diocese and his own Ordinary, provided that neither of them has within four months given him notice in writing that he objects to it.

4. Moreover, to carry on special pastoral or missionary work for various regions or social groups which need special assistance, Prelatures can be established by the Apostolic See consisting of specially trained priests from the secular clergy. These Prelatures are governed by their own Prelates and have their own statutes.

It will pertain to such a Prelate to establish and direct a national or international seminary in which students will be properly trained. He shall also have the right to incardinate these

students and to promote them to Orders on the title of the service of the Prelature.

The Prelate must provide for the spiritual life of those whom he has promoted on the above title, and for the constant progress of their special formation and for their particular ministry, through agreements entered into with the Ordinaries of the places to which the priests are sent. Likewise, he must provide for their proper support, which should be taken care of in the said agreements, either from property belonging to the Prelature itself, or from other suitable sources. He must also make provision in some such way for those who because of poor health or for some other reason are obliged to abandon the work assigned to them.

There is no objection to lay persons, single or married, dedicating themselves by contract, with their professional skill, to the works and projects of the Prelature.

Such Prelatures are not erected without consulting the Bishops' Conferences of the territory where they are going to work. In the work itself great care must be taken to respect the rights of the local Ordinaries and to maintain constantly close relations with the Episcopal Conferences.

5. Finally, Patriarchal Synods and Episcopal Conferences have also the right to make regulations concerning the use of ecclesiastical property, such that, while attention is given in the first place to the needs of the dioceses of the territory, some contributions can be laid upon them, both for the support of apostolic and charitable works and for Churches which have meager resources or are in need because of special circumstances.

The Power of Diocesan Bishops
(Christus Dominus, η. 8)

6. The norms for implementing the provision of n. 8 were given in the *Motu proprio* Apostolic Letter of 15 June, 1966, which begins with the words *De Episcoporum muneribus.*[2]

Pastoral Study and Science
(Christus Dominus, η. 16; *Presbyterorum Ordinis,* n. 19)

7. Bishops either individually or collectively should make provision that all priests, even if engaged in the ministry, complete

[2] AAS 58-467, reported below, p. 394.

a series of pastoral lectures during the year immediately after ordination, and that at stated times they attend other lectures, through which the priests will have the opportunity to acquire a fuller knowledge of pastoral methods and of theological, moral, and liturgical science, and to strengthen their spiritual life and share their apostolic experiences with their brother priests.

Bishops or Episcopal Conferences should also see to it that, according to local conditions, one or more priests of proven learning and virtue be chosen as moderators of studies to promote and arrange pastoral lectures and other aids which are considered necessary to foster the scientific and pastoral training of the priests of their own territory: study centers, mobile libraries, congresses on catechetics, homiletics or liturgy, and other such subjects.

Equitable Remuneration for Priests and Social Security for Priests

(Christus Dominus, η. 16; *Presbyterorum Ordinis,* nn. 20-21)

8. Patriarchal Synods and Episcopal Conferences should see to it that norms be established, either for individual dioceses, or for several of them together, or for the whole territory, by which suitable provision is made for the sustenance of all clerics who exercise or have exercised an office for the service of the People of God. The remuneration to be given to clerics should in the first place be the same for all those who work under the same circumstances, taking into account both the nature of the work and the circumstances of time and place; and the remuneration should be sufficient so that clerics can lead a decent life and be in a position to help the poor.

The reform of the system of benefices is entrusted to the Commission for the Revision of the Code of Canon Law. In the meantime the Bishops, after having sought the advice of their Councils of priests, should see to it that a fair distribution of goods is provided for, including the income from benefices.

The Conferences should take care that, at least in regions where the support of the clergy depends entirely or in great part on the offerings of the faithful, a special institution be set up in every diocese to collect offerings for this purpose. The administrator of this institution shall be the Bishop of the diocese him-

self, assisted by delegated priests and, if it seems desirable, also by laymen who are familiar with business matters.

Finally, these Episcopal Conferences should see to it that, always with due regard for ecclesiastical and civil laws, there be in each country either diocesan institutions, which may also be affiliated with one another, or institutions established for several dioceses together, or an association established for the whole country, by which, under the vigilance of the entire Hierarchy, adequate provision is made for proper security and health insurance, and for the proper support of clerics who are sick, incapacitated, or aged.

It will be the concern of the Code of Canon Law now being revised, to determine the manner in which another common fund is to be established in individual dioceses or regions, by which the Bishops will be able to satisfy other obligations to persons serving the Church, and to meet various needs of the diocese, and by which the richer dioceses will be able to help the poorer ones.

The Care of Certain Organizations of the Faithful

(Christus Dominus, η. 18)

9. The Bishops' Conferences are asked that, bearing in mind the great number of migrants and travelers today, they assign to a priest delegated for this purpose or to a special Commission established for this purpose, everything pertaining to the study and direction of the spiritual care of these persons.

The Nomination of Bishops

(Christus Dominus, η. 20)

10. The right of the Roman Pontiff to nominate and appoint Bishops freely remaining intact, and without prejudice to the discipline of the Oriental Churches, Episcopal Conferences, according to norms established or to be established by the Apostolic See, shall every year, with prudent counsel and in secret, consider ecclesiastics to be promoted to the office of Bishops in their territory, and propose the names of the candidates to the Apostolic See.

The Resignation of Bishops

(Christus Dominus, η. 21)

11. In order that the prescription of n. 21 of the Decree

Christus Dominus may be put into practice, all diocesan Bishops and others who are equivalent to them in law, are earnestly requested to tender their resignation from office of their own free will, not later than at the completion of their 75th year of age, to the competent authority, which will act on the request after considering all the circumstances of each case.

A Bishop whose resignation from office has been accepted may maintain a home in his diocese if he wishes. The diocese itself must provide the resigning Bishop with suitable and decent support. It is for the Episcopal Conference of the territory to fix the general norm according to which dioceses are to satisfy this obligation.

Diocesan Boundaries
(*Christus Dominus*, nn. 22-24)

12. § 1. In order that the boundaries of dioceses may be properly readjusted, the Bishops' Conferences, each for its own territory, should examine the present territorial divisions between the Churches, establishing, if desired, a special Commission for this purpose. Hence, the state of the diocese as to territory, personnel, and properties must be duly investigated. All the Bishops who are directly interested, as well as all those of the ecclesiastical province or district in which the revision of the diocesan boundaries is being made, must be heard. As far as possible the assistance of truly expert ecclesiastical or lay advisers should be sought. The natural reasons which may seem to counsel a change in the boundaries should be weighed with an open mind. All the changes which perhaps should be made, as mentioned in nn. 22-23 of the Decree *Christus Dominus*, should be proposed for discussion. In the division and dismemberment of dioceses, due care must be taken for a fair and appropriate distribution of priests and seminary students, considering both the needs of the sacred ministry in each diocese and the particular circumstances and wishes of the persons concerned.

§ 2. For the Oriental Churches it is desirable that, in fixing the boundaries of eparchies, the closer proximity of places where faithful of the same rite live, be taken into account.

The Faculties of Auxiliary Bishops
(*Christus Dominus*, nn. 25–26)

13. § 1. It is necessary to name Auxiliary Bishops for a diocese

whenever the genuine needs of the apostolate to be practiced there demand it. When there is question of the powers to be conferred on the Auxiliary Bishop, the chief principles to be kept in mind are: the pastoral care of the Lord's flock, unity of government in the diocese, the position of the Auxiliary as a member of the Episcopal College, and his effective cooperation with the Bishop of the diocese.

§ 2. The diocesan Bishop should appoint the Auxiliary as either Vicar General ("Syncellus") or Episcopal Vicar, always, however, with the understanding that he is solely under the authority of the Bishop of the diocese.

§ 3. In order to provide adequately for the common good of the diocese and to preserve the dignity of the Auxiliary, the Council expressed its wish that when the see is vacant the government of the diocese be entrusted by those who are competent in the matter to the Auxiliary, or to one of them if there are more than one. However, unless the competent authority has in the particular case provided otherwise, the Auxiliary Bishop does not, when the see is vacant, lose the powers and faculties which he had according to law as Vicar General or Episcopal Vicar while the see was filled. During the vacancy an Auxiliary who was not elected to the office of Vicar Capitular retains the powers which he had according to law, until the new Bishop takes possession of the see, but he must exercise these powers in full accord with the Vicar Capitular who has charge of governing the diocese.

Episcopal Vicars
(Christus Dominus, n. 27)

14. § 1. The new office of Episcopal Vicar was established in law by the Council, so that the Bishop, strengthened by new collaborators, might be able to handle the government of the diocese as effectively as possible. Hence, it is left to the free choice of the diocesan Bishop whether to appoint one or more Episcopal Vicars according to the special needs of the locality; he even retains the power to name one or more Vicars General according to canon 366 of the Code of Canon Law.

§ 2. Episcopal Vicars have the ordinary vicarious power which the common law gives to a Vicar General, but only in a special

part of the diocese, or for a determined type of activity, or for the faithful of a determined rite or of a special group, as specified in their appointment by the Bishop of the diocese. Hence within the limits of their competency they have the habitual faculties which the Apostolic See has granted to the Bishop, and the power to execute rescripts, unless some different provision has been expressly made, or unless they were chosen by the Bishop for their personal qualifications. The Bishop of the diocese, however, is free to reserve to himself or to the Vicar General any cases he chooses, and also to give to the Episcopal Vicar the special mandate which is prescribed by the common law for certain matters.

§ 3. As a collaborator with the episcopal office, the Episcopal Vicar must report all that has been done or is to be done by him to the Bishop of the diocese; indeed, he should never act contrary to the latter's intention and will. Moreover, he should make sure to have frequent talks with the other collaborators of the Bishop — especially with the Vicar General, in ways which the Bishop shall specify — in order to strengthen the unity of discipline among clergy and people and to attain more abundant results in the diocese.

§ 4. A favor which has been refused by the Vicar General or by an Episcopal Vicar cannot be validly granted by another Vicar of the same Bishop, even if the Vicar who refused the request gave the reasons for his refusal.

Moreover, a favor which has been refused by the Vicar General or "Syncellus" or by an Episcopal Vicar, and which is afterward obtained from the Bishop without mentioning the refusal, is invalid; and a favor refused by the Bishop cannot be validly obtained from the Vicar General or a Vicar Delegate, without the Bishop's consent, even though the fact of the refusal is mentioned.

§ 5. Episcopal Vicars who are not Auxiliary Bishops are named for a time to be specified in the act of appointment; but they can be removed at will by the Bishop. When the see is vacant their office ceases unless they are Auxiliary Bishops; however, it is advisable that the Vicar Capitular make use of them as his delegates, lest the good of the diocese suffer harm.

The Council of Priests and the Pastoral Council

{Christus Dominus, η. 27; *Presbyterorum Ordinis,* n. 7)

15. In regard to the Council of Priests:

§ 1. In every diocese, according to the ways and forms determined by the Bishop, there shall be a Council of Priests, that is, an assembly or senate of priests who represent the body of priests and who by their counsel can effectively assist the Bishop in the government of the diocese. In this Council the Bishop should listen to his priests and consult and talk with them about matters which concern the needs of the pastoral ministry and the good of the diocese.

§ 2. Religious also may be members of the Council of Priests, inasmuch as they take part in the care of souls and in apostolic work.

§ 3. The Council of Priests has only a consultative vote.

§ 4. When the see becomes vacant, the Council of Priests goes out of existence, unless in special circumstances to be recognized by the Holy See the Vicar Capitular or the Apostolic Administrator confirms it.

The new Bishop himself will establish his own new Council of Priests.

16. As for the Pastoral Council, which is highly recommended in the Decree *Christus Dominus:*

§ 1. It is the function of the Pastoral Council to examine all matters pertaining to pastoral activities, to weigh them carefully and to propose practical conclusions about them, so as to promote conformity to the Gospel in the life and action of the People of God.

§ 2. The Pastoral Council, which has only a consultative vote, may be set up in various ways. Ordinarily, although it is by nature a permanent institution, it can be temporary as regards its membership and action, performing its function as occasion demands. The Bishop can call it together whenever he thinks it useful to do so.

§ 3. Clerics, religious, and lay persons, specially chosen by the Bishop, belong to the Pastoral Council.

§ 4. In order that this Council actually accomplish its purpose, it is desirable that before the work in common begins some pre-

liminary study be done, making use if necessary of Institutes or offices which work toward this end.

§ 5. If there are in the same territory Hierarchies of different rites, it is highly recommended that, as far as possible, the Pastoral Council have an interritual character, that is, that it consist of clerics, religious, and lay persons of various rites.

§ 6. Any further dispositions are left to the free determination of the Bishop of the diocese, with due regard to what is said in n. 17.

17. § 1. It is desirable that in questions which concern either the Council of Priests, the Pastoral Council, or their relation to each other or to episcopal Councils already in existence in virtue of the present law, the Bishops, especially when gathered together in Conferences, take common counsel and issue similar regulations in all the dioceses of the territory.

The Bishops should also see to it that all the diocesan Councils be most aptly coordinated, by precisely defining their competencies, their mutual sharing of members and of joint or continuous sessions, and in other ways.

§ 2. In the meantime those Councils of the Bishops which are in existence under the present law, namely, the Cathedral Chapter and the Board of Consultors, or any others of the kind, keep their own proper functions and competency until they are revised.

The Suppression of Rights and Privileges in the Conferring of Offices of Benefices
(*Christus Dominus,* η. 28)

18. § 1. The good of souls demands that the Bishop have proper freedom in conferring offices and benefices, even those to which the care of souls is not attached, fittingly and fairly upon the clerics who are best suited for them. The Apostolic See no longer reserves to itself the conferring of offices and benefices, whether connected with the care of souls or not, unless they are consistorial. Tn the law of the foundation of any benefice, clauses which restrict the freedom of the Bishop in conferring it are henceforth prohibited. Privileges involving no obligation, which may hitherto have been granted to physical or moral persons and which include the right of election, nomination, or presentation for any nonconsistorial office or benefice, are abrogated. Customs are abrogated and rights are revoked, which

would permit nominating, electing, or presenting priests for a parochial office or benefice. The law of competitive examinations, even for offices or benefices which do not involve the care of souls, is suppressed.

As for so-called popular elections, wherever they are in vogue, it pertains to the Episcopal Conference to propose to the Apostolic See the most appropriate way of doing away with them as soon as possible.

§ 2. However, if rights and privileges in this matter were established by an agreement between the Apostolic See and a nation, or by a contract made with physical or moral persons, arrangements for their cessation must be made with the interested parties.

\rICARS Forane
{Christus Dominus, η. 30)

19. § 1. Among the more proximate cooperators with the Bishop of the diocese are the priests who have a pastoral office above the parochial level. In this category are the Vicars Forane, also called Archpriests or Deans, and among the Orientals Protopresbyters. For this office, priests should be chosen who are outstanding for their learning and apostolic spirit and who, with the necessary faculties from the Bishop, will be able properly to promote and direct common pastoral activity in the territory assigned to them. Hence, this office is not to be attached to a particular parish.

§ 2. Vicars Forane, Archpriests or Deans, are to be appointed for the time determined by particular law; but they can be removed at will by the Bishop. It is desirable that the Bishops of the diocese consult them when there is question of appointing, transferring, or removing a pastor in the territory assigned to them.

The Removal, Transfer, and Resignation of Pastors
{Christus Dominus, η. 31)

20. § 1. Without prejudice to the law in force concerning religious, the Bishop can legitimately remove any pastor from a parish whenever his ministry, even without grave fault on his part, becomes harmful or at least ineffective for anv of the reasons mentioned in the law, or for another reason which in

the judgment of the Bishop is similar to these, following, until the revision of the Code, the procedure prescribed in the case of removable pastors (canons 2157-2161) and observing the law of the Oriental Churches where that is applicable.

§2. If the good of souls or the need or advantage of the Church demands it, the Bishop can transfer a pastor from his parish which he is managing properly to another parish or to any other ecclesiastical office. In case the pastor objects, the Bishop must, for the validity of the decree of transfer, observe in all respects the procedure mentioned above.

§3. In order to put into effect the prescription of the Decree *Christus Dominus,* η. 31, all pastors are asked to offer spontaneously to their Bishop their resignation from office, not later than the completion of their seventy-fifth year of age. The Bishop will decide whether to accept or defer the resignation in view of all the personal and local circumstances. The Bishop is to provide suitable support and housing for those who resign.

The Erection, Suppression, and Changes of Parishes
{Christus Dominus, η. 32)

21. § 1. Every effort should be made that parishes in which, because of an excessive number of the faithful, or too large a territory, or for any other reason, apostolic work can be done only with difficulty or less effectively, be divided or dismembered in the way best suited to the circumstances. Likewise, parishes which are too small should be united insofar as the situation demands and the circumstances permit.

§ 2. Parishes are no longer to be united *pleno iure* to Chapters of canons. If there are any that are so united, after consultation with both the Chapter and the Council of Priests, the\r should be separated and a pastor appointed — whether chosen from the members of the Chapter or not — who is to have all the faculties which belong to pastors according to law.

§ 3. A diocesan Bishop can on his own authority erect or suppress parishes or change them in any way, after hearing from the Council of Priests, but if there are agreements in effect between the Apostolic See and the civil Government, or any extant acquired rights of any other physical or moral persons, the matter must be properly settled with them through the competent authority.

Religious

{Christus Dominus, nn. 33-35)

22. The norms which are here prescribed apply to all religious, men and women, of whatever rite, without prejudice to the rights of Oriental Patriarchs.

23. § 1. All religious, including the exempt, who work in places where a rite different from their own is the only rite, or where the number of faithful of the other rite is so much greater that it is commonly considered the only rite, depend on the local Ordinary or Hierarch of this rite in matters which concern the external works of the ministry, and are subject to him according to law.

§ 2. But where there are several local Ordinaries or Hierarchs, these religious, when engaged in work among the faithful of different rites, are bound by the regulations which the Ordinaries and Hierarchs have established by mutual accord.

24. Although the exemption of religious, within its proper sphere, is in effect also in mission territories, still, because of special conditions in the exercise of the sacred ministry in those places, in accordance with the Decree *Ad gentes divinitus,* the special statutes established or approved by the Apostolic See concerning the relations between the local Ordinary and the religious Superior are to be observed, especially in a mission which is entrusted to a certain Institute.

25. § 1. All religious, including the exempt, are bound by the laws, decrees, and ordinances enacted by the local Ordinary for various activities, in those matters which concern the practice of the sacred apostolate and pastoral and social action which is prescribed or recommended by the local Ordinary.

§ 2. Likewise, they are bound by the laws, decrees, and ordinances enacted by the local Ordinary or by the Bishops' Conference, which concern, among other things, the following:

a) the public use of all the means of social communication, according to nn. 20 and 21 of the Decree *Inter mirifica;*

b) attendance at public shows;

c) enrollment in or cooperation with societies or associations which the local Ordinary or the Episcopal Conference has decreed should be avoided:

d) ecclesiastical attire, but without prejudice to canon 596 of the Code of Canon Law and canon 139 of the Oriental Code of Canon Law concerning religious, and according to the following stipulation: the local Ordinary or the Conference of Bishops, to avoid astonishment among the faithful, can forbid clerics, whether secular or religious, even the exempt, to wear lay dress in public.

26. These same religious are also bound by the laws and decrees made by the local Ordinary according to law, regarding the public exercise of worship in their churches and public and semi-public oratories if the faithful ordinarily attend them, without prejudice to any particular rite that they may legitimately use only for their own community, and with allowance made for the order of the Divine Office and sacred functions which pertain to the special end of the Institute.

27. § 1. The Episcopal Conference of any country can, after consultation with the interested religious Superiors, make regulations on seeking alms, which must be observed by all religious, including those who according to their Institute are called mendicants and are really such, but without prejudice to their right to beg.

§ 2. Similarly, religious should not proceed to collect funds by way of public subscription without the consent of the Ordinaries of the places where such collections are being made.

28. Religious should zealously promote the works which are proper or peculiar to their Institute, that is, those which with the approval of the Apostolic See were undertaken either from the very foundation of the Institute or by reason of venerable traditions, and were afterward defined and regulated by the Constitutions and other particular laws of the Institute, giving special consideration to the spiritual needs of the diocese and maintaining fraternal accord with the diocesan clergy and with other Institutes engaged in similar work.

29. § 1. Works proper or peculiar to the Institute, which are carried on in its own houses, even if these are rented, depend on the Superiors of the Institute, who regulate and direct them according to the Constitutions. However, these works also are subject to the jurisdiction of the local Ordinary according to law.

§ 2. Works which have been entrusted to the Institute by the local Ordinary, however, even though they may be proper or

peculiar to it, are under the authority and direction of the same Ordinary, but without prejudice to the right of religious Superiors to exercise vigilance over the life of the members of the Institute and, cumulatively with the local Ordinary, over the fulfilment of the work entrusted to them.

30. § 1. When a local Ordinary entrusts any apostolic work to an Institute, besides the observance of other provisions of law, a written agreement should be made between the Ordinary and the competent Superior of the Institute, clearly defining among other things, matters pertaining to the performance of the work, the personnel to be employed in it, and the finances.

§ 2. For such works, members of the Institute who are truly qualified are to be chosen by their own religious Superior, after mutual consultation with the local Ordinary, and if there is question of conferring an ecclesiastical office on one of the religious, he is to be appointed by the local Ordinary upon presentation by, or at least with the consent of, his own Superior, for a definite term to be mutually agreed upon.

31. Also when an office is to be entrusted to any religious by the local Ordinary, it should be done with the consent of his Superior and by a contract in writing.

32. For a grave reason any religious can be removed from the position assigned to him, either at the will of the authority who made the appointment, with notice to the religious Superior, or at the will of the Superior with notice to the one who made the appointment. Both these parties have an equal right, and neither need ask the consent of the other nor reveal to him the reason for his action, and much less to prove it, saving recourse *in devolutivo* to the Apostolic See.

33. § 1. The local Ordinary can on his own authority, with the consent of the competent religious Superior, entrust a parish to a religious Institute, and even erect the parish in a religious church of the Institute. Such an assignment of a parish can be made either in perpetuity or for a specified time; in either case it must be done by a written agreement between the Ordinary and the competent Superior of the Institute. This agreement must define expressly and exactly, among other things, all that concerns the work to be done, the persons who are to be employed in it, and the finances.

§ 2. Even in a parish which is not entrusted to a religious Institute, the local Ordinary can, with the permission of the religious Superior, appoint a religious as pastor, making a fair special contract with the competent Superior of the Institute to which he belongs.

34. § 1. A religious house, whether formed or not, which belongs to an exempt religious Institute, cannot be suppressed without the approval of the Holy See and consultation with the local Ordinary.

§ 2. Religious Superiors who, for whatever reason, petition for the suppression of any house or activity, should not do so hastily; let them remember that all religious have an obligation to work earnestly and diligently not only for the building up and expansion of the Mystical Body of Christ as a whole, but also for the good of particular Churches.

§3. However, when Superiors ask for the suppression of some house or activity, especially if the request is due to a scarcity of personnel, the local Ordinary should give it his kindly consideration.

35. Associations of the faithful which are under the leadership and direction of a religious Institute, even if they were erected by the Apostolic See, are subject to the jurisdiction and vigilance of the local Ordinary, and he has the right and duty to visit them officially, according to the norms of law.

If these associations are engaged in external works of the apostolate or in promoting divine worship, they must observe the regulations made by the local Ordinary or by the Conference of Bishops in these matters.

36. § 1. Members of Institutes of perfection whose life is not purely contemplative have apostolic activities which are not so restricted, either to the special works of the Institute or to occasional projects, that local Ordinaries should be prevented from appealing not only to the priests but to all members of the Institute, men and women, to lend a helping hand in various ministries of the dioceses or regions. This should be done only in urgent spiritual necessities when there is a scarcity of priests, with due regard to the character of the Institute and with the consent of the competent religious Superior.

§ 2. If in the judgment of the local Ordinary the help of reli-

gious is considered necessary or very useful to carry on the various works of the apostolate and to foster charitable and pastoral projects in secular parishes or diocesan associations, the requested help should be given as far as possible by religious Superiors when the Ordinary asks for it.

37. In all churches and public or semi-public oratories belonging to religious, which *de jacto* are habitually open to the faithful, local Ordinaries can prescribe that episcopal documents be read publicly, that catechetical instructions be given, and also that special collections be taken up for specified parochial, diocesan, national, or universal projects, the proceeds to be afterward carefully remitted to the episcopal Curia.

38. The local Ordinary has the right to conduct a visitation of the churches and oratories, even semi-public, of religious, including the exempt, if the faithful ordinarily have access to them, concerning the observance of the general law and of episcopal decrees on divine worship. If he discovers any abuse in this matter, after he has notified the Superior to no avail, he can take appropriate action on his own authority.

39. § 1. In accordance with n. 35, 4 of the Decree *Christus Dominus,* the general set-up of the Catholic schools of religious Institutes supposes the general distribution of all Catholic schools in the diocese, their mutual cooperation and their supervision, so that they may be as well adapted as other schools to pursue cultural and social aims, without prejudice of course to the right of the religious to govern them, and with due observance of the norms laid down (n. 35, 5) for previous mutual consultations between the Bishops and the religious Superiors.

§ 2. The local Ordinary, either in person or through others, can make a visitation according to the sacred canons, of all schools of religious Institutes, their colleges, oratories, recreation centers, patronal institutions, hospitals, orphanages, and other similar establishments, designed for spiritual or temporal works of religion or charity, excepting only their internal schools which are open only to the members of their own Institute.

40. The norms concerning the assignment of members of religious Institutes to diocesan works and ministries to be carried on under the direction of the Bishops are also to be applied, making the appropriate adjustments, to other works and ministries which go beyond the limits of a diocese.

Episcopal Conferences
{Christus Dominus, η. 38)

41. § 1. Bishops of countries or territories which do not yet have an Episcopal Conference according to the norm of the Decree *Christus Dominus* should see to its establishment as soon as possible, and should draw up statutes for it, to be approved by the Apostolic See.

§ 2. Episcopal Conferences which are already established should draw up their own statutes according to the prescriptions of the Sacred Council, or, if they have them already drawn up, they should revise them to conform to the mind of the Council and send them to the Apostolic See for approval.

§3. Bishops of countries where it is difficult to establish a Conference should, after consultations with the Apostolic See, join the Conference which is best adapted to the needs of the apostolate in their own country.

§ 4. Episcopal Conferences for several countries, that is, international ones, can be established only with the approval of the Apostolic See, which will draw up special norms. And whenever Conferences undertake actions or programs which have an international character, the Holy See should be notified in advance.

§ 5. Relations between Episcopal Conferences, especially those of neighboring countries, can be maintained in opportune and suitable ways through the Secretariates of these Conferences. These communications may concern, among other things, the following:

a) giving information about the principal features of pastoral conditions and activity;

b) forwarding writings or papers which report the decisions of the Conference, or records or documents which are issued jointly by the Bishops;

c) announcing various apostolic projects which have been proposed or recommended by the Episcopal Conference and which can be used to advantage in similar circumstances;

d) proposing serious questions which seem to be of great importance in these times and in some particular circumstances;

e) pointing out dangers and errors which are beginning to appear in their own country and which may work their way into other countries so that proper and timely measures may be

taken to forestall or eradicate them, or to keep them in check, and so forth.

The Boundaries of Ecclesiastical Provinces of Regions
{Christus Dominus, nn. 39-41)

42. Bishops' Conferences are to ponder carefully whether the more effective promotion of the good of souls in the territory: a) demands more suitable boundaries for ecclesiastical provinces; or 6) makes it advisable to create ecclesiastical regions: if so, the Conferences should submit to the Apostolic See plans for the revision of provincial boundaries and the juridical establishment of regions. They should also indicate to the Holy See plans for the grouping together of dioceses in the territories which have until now been immediately subject to the .Apostolic See.

Drawing up Pastoral Directories
{Christus Dominus, η. 44)

43. As regards pastoral Directories, the Patriarchal Synods and Episcopal Conferences are asked to study promptly the questions which are to be treated in both the general and the special Directories and to send their proposals and recommendations to the Apostolic See as soon as possible.

II
NORMS FOR THE IMPLEMENTATION OF THE DECREE "PERFECTAE CARITATIS" OF THE SECOND VATICAN COUNCIL

In order that the fruits of the Council may progressively mature, it is necessary that religious Institutes promote especially a renewal of spirit, and hence that they strive, prudently indeed but earnestly, to achieve a new adaptation of their life and discipline, by applying themselves to the study especially of the dogmatic Constitution *Lumen Gentium* (Chapters V and VI) and the Decree *Perfectae Caritatis,* and by reducing to practice the teaching and regulations of the Council.

For the purpose of applying the Decree *Perfectae Caritatis* and urging its observance, the following Norms, valid with suitable adjustments for all reliuious, both Latin and Oriental, establish a procedure and lay down certain regulations.

Part I

The Manner of Promoting the Appropriate Renewal of Religious Life

I. *Those who must promote appropriate renewal.*

1. The most important role in the appropriate renewal of the religious life belongs to the Institutes themselves, and they will do it especially through general Chapters, or among the Orientals through Synaxes. The work of the Chapters is not completed by merely making laws, but by also promoting spiritual and apostolic vitality.

2. The cooperation of all Superiors and members is needed in order to renew their own religious life, to prepare the spirit of the Chapters, to accomplish the work of the Chapters, and to obtain the faithful observance of the laws and regulations which the Chapters will have produced.

3. In order to promote appropriate renewal in each Institute, a special general Chapter, either ordinary or extraordinary, should be convened within two or at most three years.

If this Chapter itself so decides by secret ballot, it may be divided into two separate sessions within a period of time which generally should not be more than a year.

4. In preparing for this general Chapter the general Council should provide for ample and free consultation of the members and arrange the results of this consultation in good order so that it may serve as a help and guide for the Chapter's work. This can be done, for example, by receiving information and advice from the conventual and provincial Chapters, by setting up commissions, proposing questionnaires, and so forth.

5. For stauropegiacal Monasteries, it will be the duty of the Patriarch to determine how the consultation shall be conducted.

6. This general Chapter has the right to change, by way of experiment, certain norms of the Constitutions, or among Orientals the norms of the Typika, provided the purpose, nature, and character of the Institute are preserved. Experiments contrary to the common law, to be tried prudently, will be freely permitted by the Holy See as occasions arise.

These experiments can be continued until the next ordinary general Chapter, which will have the power to extend them

further, but not beyond another Chapter immediately following.

7. This same faculty belongs also to the general Council during the period intervening between these Chapters, under conditions which the Chapters shall determine; among Orientals, in independent Monasteries, this faculty resides in the Hegumen with the minor Synaxis.

8. The definitive approval of the Constitutions is reserved to the competent Authority.

9. With regard to revising the Constitutions of Nuns, the different Monasteries, each acting through its Chapter, or even the individual Nuns, shall express their wishes, and in order to protect the unity of the religious family according to its nature, these votes shall be collected by the supreme Authority of the Order if there is one, and if not, by a delegate of the Holy See, and among Orientals by the Patriarch or the local Hierarch. Also, votes and suggestions may be obtained from the meetings of Federations or from other legitimately convoked assemblies. The pastoral solicitude of the Bishops should also lend benevolent assistance in this matter.

10. In Monasteries of Nuns, if certain temporary experiments concerning observance are sometimes thought appropriate, they can be permitted by the general Superiors or by Delegates of the Holy See, and among Orientals by the Patriarch or the local Hierarch. However, the special mental and spiritual attitude of persons who are cloistered and who have so great a need of stability and security, must be considered.

11. It will be the dutv of the authorities mentioned above to see to it that the text of the Constitutions be revised, with the advice and help of the Monasteries themselves, and that it be submitted for the approval of the Holy See or of the competent Hierarch.

II. *The revision oj the Constitutions and Typika.*

12. The general laws of every Institute (Constitutions, Typika, Rules, or whatever they may be called) should comprise approximately the following elements:

a) the evangelical and theological principles concerning the religious life and its union with the Church, and some appropriate and definite expressions which “acknowledge and preserve the spirit of the Founders and all the particular goals and whole-

some traditions which constitute the heritage of each Institute" (Decree *Perfectae Caritatis,* n. 2, b).

b) the juridical norms which are needed to define clearly the character, the aims, and the means of the Institute; these norms should not be multiplied beyond measure, but must always be adequately stated.

13. The union of both elements, the spiritual and the juridical, is necessary so that the principal books of the Institute may have a firm foundation and breathe a true spirit and a vital norm; hence care should be taken not to produce a text which is only juridical or merely exhortatory.

14. The fundamental code of each Institute should exclude whatever is already obsolete, or subject to change with the customs of the time, or corresponds merely to local usages.

Norms which correspond to the present time, to the physical and psychic condition of the members, or to special circumstances, should be put in supplementary books, called "directories," custom books, or some such name.

III. *The criteria of appropriate renewal.*

15. The norms and spirit to which an appropriate renewal should respond will be found not only in the Decree *Perfectae Caritatis,* but also in other documents of the Second Vatican Council, especially in Chapters V and VI of the dogmatic Constitution *Lumen Gentium.*

16. The Institutes must see to it that the principles stated in the Decree *Perfectae Caritatis,* η. 2 actually pervade the renewal of their religious life. Therefore:

§ 1. The study of and meditation on the Gospels and on all of Sacred Scripture should be earnestly fostered among all the members, beginning in the noviceship. Care must be taken also that they participate by more appropriate ways in the mystery and life of the Church;

§ 2. The doctrine of the religious life under its various aspects (theological, historical, canonical, and so on) should be examined and explained;

§3. For the good of the Church itself the Institutes should try to attain a true knowledge of their original spirit, so that by adhering faithfully to it in making their adaptations they may

cleanse their religious life of foreign elements and free it from what is obsolete.

17. Obsolete elements are those which do not belong essentially to the nature and aims of the Institute and, having lost their significance, are no longer of any real benefit to the religious life; however, the witness which the religious state must give should be taken into account.

18. The form of government should be such that "Chapters and Councils express, each in its own way, the fact that all members of the community have a share in the welfare of the whole community and a responsibility for it" (Decree *Perfectae Caritatis,* η. 14). This will be realized if the members have a really effective part in selecting the persons composing these Chapters and Councils, Similarly, the use of authority should be made more effective and unencumbered, so as to conform to the needs of our time. Therefore, Superiors at all levels should have the necessary faculties so that useless and too frequent recourse to higher authorities be not multiplied.

19. For all that, an appropriate renewal cannot be achieved once for all, but must be fostered with a degree of constancy through the fervor of the religious and the solicitous care of Chapters and Superiors.

Part II

Some Things That Must Be Adapted and Renewed in the Religious Life

I. *The Divine Office of Brothers and Sisters* (Decree *Perfectae Caritatis,* η. 3).

20. Although religious who recite a duly approved Little Office perform the public prayer of the Church (cf. Constitution *Sacrosanctum Concilium,* on the Sacred Liturgy, n. 98), it is nevertheless recommended to the Institutes that in place of the Little Office they adopt the Divine Office either in part or as a whole, so as to participate more intimately in the liturgical life of the Church. Religious of the Eastern rites, however, should recite the doxologies and the Divine Lauds according to their own Typika and Customs.

II. *Mental prayer* (Decree *Perjectae Caritatis,* n. 6).

21. In order that religious may participate more intimately and fruitfully in the sacred mystery of the Eucharist and the public prayer of the Church, and that their whole spiritual life may be more abundantly nourished, instead of a multitude of prayers, a larger place should be given to mental prayer, keeping however, the pious exercises which are commonly accepted in the Church, and taking due care that the religious be diligently instructed in leading a spiritual life.

III. *Mortification* (Decree *Perjectae Caritatis,* nn. 5 and 12).

22. Religious should devote themselves more than the rest of the faithful to works of penance and mortification. However, the special penitential practices of the Institutes should be revised as far as necessary so that, taking into account the traditions of the East or of the West as the case may be, and considering the conditions of modern life, the religious may be able to practice them, adopting also new forms suited to present living conditions.

IV. *Poverty* (Decree *Perjectae Caritatis,* n. 13).

23. Institutes, especially through their general Chapters, should diligently and in concrete ways promote the spirit and practice of poverty according to the mind of n. 13 of the Decree *Perjectae Caritatis,* seeking also and urging new forms in keeping with the spirit of their Institute, such as will make the practice and witness of poverty more efficacious in this our day.

24. Institutes of simple vows should themselves decide in the general Chapter whether the renunciation of patrimonial property already acquired or to be acquired should be incorporated in the Constitutions, and if so, whether the renunciation should be obligatory or optional: and when it should be made, that is, before the perpetual profession or some years later.

V. *The common lije* (Decree *Perjectae Caritatis,* n. 15).

25. In Institutes devoted to works of the apostolate, the common life, which is so important for enabling religious to practice fraternal intercourse as a family united in Christ, should be promoted as strongly as possible in a way that is consistent with the vocation of the Institute.

26. In these Institutes the daily order often cannot be the same in all the houses, and sometimes not even in the same house for all the members. But the order should always be so arranged that besides the time to be given to spiritual exercises and to work, the religious have some time to themselves and an opportunity for proper recreation.

27. The general Chapters and Synaxes should look for some way in which those religious who are called *conversi,* coadjutors, or by some other such name, may gradually obtain an active voice (the right to vote) in certain specified community acts and in elections, and in the case of certain offices even a passive voice (capacity to be elected); in this way they will really be intimately joined to the life and work of the community, and the priests will be freer to attend to their proper ministry.

28. In Monasteries which have reached the stage of having only one class of Nuns, the obligations of choir should be defined in the Constitutions, taking into account the distinction of persons which is demanded by the difference in their work and special vocation.

29. The Sisters who are devoted to the external service of the Monasteries, who are called oblates or by some other name, should be governed by special statutes which take into consideration both their vocation, which is not purely contemplative, and the requirements of the vocation of the Nuns, with whom they live in close conjunction although they themselves are not Nuns.

The Superioress of the Monastery has the serious duty to take solicitous care of these Sisters, to give them a suitable religious formation, and to treat them with genuine charity and promote a sisterly bond between them and the community of Nuns.

VI. *The Cloister oj Nuns* (Decree *Perfectae Caritatis,* η. 16).

30. The papal cloister of Monasteries must be regarded as an ascetical institution which is singularly coherent with the special vocation of Nuns, for it is a symbol, a safeguard, and a special form of their withdrawal from the world.

In this same spirit Nuns of the Eastern rites should observe their own enclosure.

31. This cloister must be so arranged that material separation from outside is always preserved. Individual religious families

according to their own spirit can define in their Constitutions particular norms for this material separation.

32. Minor cloister is abolished. Therefore, Nuns who by their rule are devoted to external works should define their own cloister in their Constitutions. But Nuns who, although contemplative by their rule, have taken up external work, after a suitable time which is granted them to deliberate, must either retain the papal cloister and give up their external works or, continuing these works, define their own cloister in their Constitution, retaining their status as Nuns.

VII. *The training of religious* (Decree *Perfectae Caritatis,* η. 18).

33. The training of religious, beginning with the noviceship, should not be organized in the same way in all Institutes, but the proper character of each Institute should be considered. In the revision and adaptation of this training, prudence, and experience are called for.

34. The provisions of the Decree *Optatam Totius* (on Priestly Formation), suitably adapted to the character of each Institute, should be faithfully followed in the training of religious clerics.

35. Further training after the noviceship, to be given in a way that is suitable for each Institute, is altogether necessary for all religious, even for those of contemplative life. For Brothers in lay Institutes and for Sisters in Institutes which are devoted to apostolic work, this training, already in effect in many Institutes under the name of juniorate, scholasticate, or the like, should generally be continued for the entire duration of the temporary vows.

36. This training, to be given in houses that are suitable for it, must not be merely theoretical; it should be rounded out by practice in works and offices by way of apprenticeship, according to the character and circumstances proper to each Institute, so as to introduce the religious gradually to the life which they must afterward lead.

37. When individual Institutes cannot provide adequately for doctrinal and technical education, this can be supplied through the fraternal cooperation of several Institutes, always without prejudice to the peculiar formation proper to each. Such collaboration can take various forms at different levels: common lectures or courses, loans of teachers, or even association of

teachers and sharing of facilities in a common school to be attended by members of several Institutes.

Institutes which are equipped with the necessary facilities should willingly assist others.

38. After sufficient experimentation, each Institute should draw up its own adapted norms for the training of its members.

VIII. *The union and suppression oj Institutes* (Decree *Perjectae Caritatis,* nn. 21-22).

39. A union of any sort between different Institutes presupposes adequate spiritual, psychological, and juridical preparation, according to the intention of the Decree *Perjectae Caritatis.* To this end it will often be desirable that the Institute be aided by an Assistant, who is to be approved by the competent Authority.

40. In the aforesaid cases and circumstances the good of the Church is to be kept in view, with due attention also, however, to the specific character of each Institute and the freedom of the individual members.

41. Among the criteria that can contribute to forming a judgment on the suppression of an Institute or a Monastery, after weighing all the circumstances, especially the following, taken together, should be kept in mind: the small number of religious in proportion to the age of the Institute or Monastery, the lack of candidates over a period of several years, the advanced age of the majority of its members. If the decision is to be for suppression, provision should be made that the Institute or Monastery "if possible be absorbed by a more vigorous one which approximates its purpose and spirit" (Decree *Perjectae Caritatis,* n. 21). However, the individual religious should be consulted beforehand, and everything should be done with charity.

IX. *Conferences and Unions oj Major Superiors and Superioresses* (Decree *Perjectae Caritatis,* n. 23).

42. It should be arranged that a Union of Superiors general and one of Superioresses general may be consulted and heard from by a Commission established in the Sacred Congregation of Religious.

43. It is of great importance that Conferences or Unions of general Superiors of men or women religious cooperate trustfully and reverently with the Episcopal Conferences (Decree *Christus*

Dominus, η. 35, 5; Decree *Ad Gentes,* η. 33).

Hence, it is desirable that questions which concern both sides be handled in mixed Commissions composed of both Bishops and Major Superiors of men or women.

Conclusion

44. These norms, which shall apply to religious throughout the whole Church, leave intact the general laws of the Church, both Latin and Oriental, as well as the particular laws of religious Institutes, unless they explicitly or implicitly change them.

III

NORMS FOR IMPLEMENTING THE DECREE "AD GENTES DIVINITUS" OF THE SECOND VATICAN COUNCIL

Since the Decree of the Second Vatican Council *Ad Gentes* (on the Missionary Activity of the Church) is to be in effect for the universal Church and to be observed by all. in order that the whole Church really assume a missionary character and that the entire People of God recognize its missionary obligation, local Ordinaries must see to it that these Decrees come to the knowledge of all Christians; there should be talks to the clergy and sermons to the people about them, pointing out and inculcating the obligation in conscience of every one regarding missionary activity.

So that the Decree may be more easily and more faithfully applied, the following regulations are made:

1. Mission theology should be so incorporated in the teaching and development of theological doctrine that the missionary nature of the Church is fully brought to light. In addition, the Lord's plan of preparing for the Gospel, and the possibility of salvation for those to whom the Gospel has not been preached, should be examined, and the necessity of evangelization and incorporation into the Church is to be taught. (Decree *Ad Gentes,* Chapter 1).

All these points must be kept in mind in arranging the proper order of studies in seminaries and universities (n. 39).

2. Episcopal Conferences are invited to propose to the Holy

See as soon as possible general questions relating to the missions, to be considered at the coming meeting of the Synod of Bishops (n. 29).

3. To increase the missionary spirit among the Christian people, daily prayers and sacrifices are to be encouraged, so that the annual mission day may become as it were the spontaneous expression of that spirit (n. 36).

Bishops and Episcopal Conferences should make up various invocations for the missions, to be inserted in the Prayer of the Faithful at Mass.

4. In every diocese a priest should be appointed for the effective promotion of projects for the missions, and he should be a member of the Pastoral Council of the diocese (n. 38).

5. In order to promote the missionary spirit, seminarians and young people in Catholic organizations should be encouraged to establish and maintain contact with seminarians and similar organizations in mission lands, so that an exchange of information mav foster a missionary and ecclesiastical consciousness in the Christian people (n. 38).

6. Bishops, realizing the urgency of evangelizing the world, should promote missionary vocations among their own clergy and youth; and they should provide Institutes engaged in missionary work with the means and opportunity to make the diocese aware of the needs of the missions and to inspire missionary vocations (n. 38).

In appealing for vocations to the missions, the mission of the Church to all nations and the ways in which various people (Institutes, priests, religious, and lay people of both sexes) are striving to fulfill this mission, should be diligently explained. In particular, the special missionary vocation "for life" (nn. 23, 24) should be praised and illustrated by examples.

7. The Pontifical Missionary Societies should be promoted in every diocese, and their statutes, particularly those that concern the forwarding of contributions, should be duly observed (n. 38).

8. Since the voluntary offerings of the faithful for the missions are far from sufficient, it is recommended that as soon as possible a definite sum proportionate to their resources be paid every year by the diocese, by the individual parishes, and by other diocesan groups, which sum is to be distributed by the Holy

See, without any change in the other obligations of the faithful (n. 38).

9. In the Episcopal Conferences there should be an episcopal Commission for the missions, whose function it is to foster missionary activity and awareness and a coherent plan of cooperation between the dioceses, to maintain contact with other Episcopal Conferences, and to find ways of maintaining equity as much as possible in missionary aid.

10. Since missionary Institutes are still decidedly necessary, every one should acknowledge that they have the function of evangelization entrusted to them by authority of the Church, to carry out the missionary duty of the entire People of God (n. 27).

11. Bishops should also make use of missionary Institutes to inspire the faithful with zeal for the missions and to give them opportunities in an orderly way to promote and foster missionary vocations among young people, and to collect funds for the missions (nn. 23, 37, 38).

But for the sake of greater unity and effectiveness Bishops should act through the National or Regional Mission Council, which will consist of the directors of the Pontifical Mission Societies and the missionary Institutes in that country or region.

12. Every missionary Institute should, as soon as possible, take care of its own appropriate renewal, particularly as to the preaching of the Gospel and as to Christian initiation (nn. 13, 14), and also as to the manner of its community life (Decree *Perfectae Caritatis,* η. 3).

13. § 1. For all the missions there must be only one competent curial office, namely the Sacred Congregation for the Propagation of the Faith. However, since certain missions for special reasons are temporarily still subject to other curial offices, in the meantime there should be established in these offices a missionary section which will have close relations with the S. C. for the Propagation of the Faith, so that in the organization and direction of all the missions there may be one consistent and uniform policy (n. 29).

§ 2. The S. C. for the Propagation of the Faith has charge of the Pontifical Missionary Societies, namely, the Pontifical Society for the Propagation of the Faith, the Society of Saint Peter for the Native Clergy, the Missionary Union of the Clergy, and the Society of the Holy Childhood.

14. The president of the Secretariate for Christian Unity is a member of the S. C. for the Propagation of the Faith in virtue of his office; and the secretary of that same Secretariate is among the consultors of the said Congregation (n. 29).

In like manner the S. C. for the Propagation of the Faith is to be represented in the Secretariate for the Unity of Christians.

15. Unless the Supreme Pontiff in individual cases decrees otherwise, twenty-four representatives take part in the direction of the S. C. for the Propagation of the Faith, with a deliberative vote, namely: twelve Prelates from the missions; four from other regions; four Superiors of Institutes; four from the Pontifical Mission Societies. All these will be called together twice a year. The members of this body are named for five-year terms, but approximately a fifth of their number is changed every year. On completion of their term they can be named for another five years.

Episcopal Conferences, Institutes and Pontifical Societies, observing norms which will be made known as soon as possible by the Holy See, are to propose the names from which the Supreme Pontiff will choose the above-mentioned representatives, and also the names of those, even if they live in the missions, from whom consultors can be chosen.

16. Representatives of religious Institutes in the missions, and of regional mission societies and lay Councils, especially those that are international, take part in the meetings of this curial Office with a consultative vote (n. 29).

17. The Sacred Congregation for the Propagation of the Faith, after consulting with Episcopal Conferences and missionary Institutes, should as soon as possible outline general principles according to which agreements may be made between local Ordinaries and missionary Institutes to govern their mutual relations (n. 32).

In making these agreements both the continuance of the missionary work and the needs of the Institute should be considered (n. 32).

18. As it is desirable that Episcopal Conferences in the missions be united in organic groups corresponding to so-called socio-cultural areas (cf. n. 9 above), the S. C. for the Propagation of the Faith (n. 29) should promote such coordinations of the Episcopal Conferences.

These Conferences, in conjunction with the S. C. for the Propagation of the Faith, will have as their function:

1° To explore ways, even new ones, by which the faithful and the missionary Institutes, working together, can identify themselves with the people or groups among whom they live and to whom they are sent (nn. 10, 11) and with whom they must undertake the dialogue of salvation;

2° To form study groups to investigate the thinking of these populations regarding the universe, man and his attitude toward God, and to take into consideration from the theological standpoint (n. 22) whatever is good and true in these lines of thought.

A theological study of this sort should provide the necessary basis for the adaptations which must be made, and which the aforesaid study groups should investigate. Such adaptations will concern, among other things, methods of preaching the Gospel, liturgical forms, the religious life, and Church law (n. 19).

With regard to improving methods of evangelization and catechesis (nn. 11, 13, 14), the S. C. for the Propagation of the Faith should encourage a close cooperation among the higher Institutes of pastoral studies.

In the matter of liturgical forms, the study groups should send their papers and recommendations to the Commission for Implementing the Constitution on the Liturgy.

As regards the religious state (n. 18), care must be taken lest more attention be given to exterior forms (such as gestures, vestments, works of art, and the like) than to the religious dispositions of the people which should be adopted and the evangelical perfection which must be cultivated.

3° To promote at stated times meetings of seminary teachers in order to adjust study programs and exchange information and, in conjunction with the study groups mentioned above, to make better provision for present needs in the training of priests (n. 16).

4° To look for a better way of distributing working forces (priests, catechists, Institutes, and so on) in the territory, especially in order to remedy the shortage of these forces in densely populated areas.

19. In the distribution of subsidies a suitable share is to be set aside every year for the training and support of the local clergy, missionaries, and catechists, and for the study groups mentioned

above in n. IS. The Bishops should present documentation on these matters to the S. C. for the Propagation of the Faith (nn. 17, 29).

20. A Pastoral Council should be duly established which, according to n. 27 of the Decree *Christus Dominus,* will have as its function "to investigate and to weigh matters which bear on pastoral activity and to formulate practical conclusions concerning them." The Council should also contribute its services to the preparation of the diocesan Synod, and see to the execution of the synodal Statutes (n. 30).

21. Conferences of religious and Unions of religious women should be established in the missions, in which the Major Superiors of all the Institutes of the same nation or region should take part, and by which their projects should be coordinated (n. 33).

22. The number of scientific Institutes in the missions should be increased according to possibilities and needs. These should work together by common accord, so that the work of research and specialization be properly organized, taking care however, not to duplicate works of the same kind in the same territory (n. 34).

23. In order that immigrants from mission countries may be properly received and assisted with due pastoral care by the Bishops of established Christian communities, cooperation on their part with missionary Bishops is a necessity (n. 38).

24. With regard to the laity in the missions:

§ 1. Emphasis should be placed on a sincere intention to serve the missions, maturity, sufficient preparation, a so-called professional specialization, and a sufficiently extended period of service in the mission.

§ 2. Lay mission organizations should be effectively coordinated.

§ 3. The Bishop of the mission territory should have a solicitous care for these lay persons.

§4. Their social security should be assured (n. 41).

AAS 58–757; Paul VI, *Motu proprio,* 6 Aug., 1966. .Annotations in *Clergy Review,* 52 (1967)–556–564 (McRcavy); *Commentarium pro Religiosis,* 48 (1967)–19–31 (Gutierrez); 241-258 (Gutierrez); 259-270

Ecclesiae Sanctae: Interpretation of II, 10 (Paul VI, 6 Dec., 1966) Private.

Because of a doubt as to the scope of the faculty granted in no. 10 of section II of the *motu proprio, Ecclesiae sanctae,*[1] the S. C. for Religious requested an interpretation of that faculty from Pope Paul VI who gave the following reply.

"The faculty which is given to Superiors General and to Delegates of the Holy See in no. 10 of the *motu proprio, Ecclesiae sanctae,* for the application of the decree, *Pcrjectae caritatis,* as regards the introduction of experiments into monasteries of nuns, must be interpreted according to the norm in no. 6: only those experiments which are not contrary to common law. Otherwise permission from the Holy See is required."

(Private); Paul VI, 6 Dec., 1966; reported in article in *Commentarium pro Religiosis,* 46 (1967)-28O.

The Council for the Lay Apostolate and the Pontifical Commission *Justitia et Pax* (Paul VI. *Motu proprio,* 6 Jan., 1967) AAS 59-25.

In this *Motu proprio* Paul VI recalls that the Second X'atican Council decreed that a Commission be established "for the service and encouragement of the lay apostolate" (Decree *Apostolicani actuositatem,* n. 26) and that "an agency of the universal Church be set up for the worldwide promotion of justice for the poor" (Pastoral Constitution *Gaudium et Spes,* η. 90). Accordingly, after receiving the reports of the two committees appointed respectively to plan the organization of these two bodies, he proceeded to appoint, on 7 July, 1966, a temporary Commission to reduce their recommendations to a more definite form for his approval. Finally, this *Motu proprio* establishes both organizations. Although distinct in structure and purpose, the two have in common one and the same President and Vice-President. The dispositive part of the document is as follows.

I. First, let us see what is peculiar to the Commission for the Laity.

Since the primary concern of this body is to work for and promote the apostolate of the laity, it must:

[1] Reported above, pp. 264-298.

1) promote the apostolate of the laity in various countries, or if it is already established, arrange and consolidate it; insert it ever more firmly in the general apostolate of the Church; maintain communication with the apostolate of each nation; strive to bring it about that within the Church there be a sort of union and dialogue of the Hierarchy with the laity and of the various groups of the laity among themselves, in the manner which is described in the later pages of the encyclical *Ecclesiam suam;* organize persons of the respective countries into groups which will concern themselves with the apostolate of the laity; see to it that the laws of the Church regarding the laity be faithfully observed.

2) assist the Hierarchy and the laity in apostolic works by their advice.

3) undertake studies to make the doctrine on questions concerning the laity better known; look carefully into questions which may arise in the practice of the apostolate; study the relations between associations of lay persons and the pastoral office. Such studies should if possible be published.

4) not only give and receive information about the lay apostolate, but also establish a center where writings on the subject are available. From all these sources they will be able to derive ways and methods which may win the cooperation of lay persons and enable them to be of great help to the Church of Christ.

II. Now, for the Pontifical Commission of scholars, which goes by the name of *Iustitia et Pax.*

This Commission aims to bring all the People of God to a full realization of the work that is expected of them in these times: on the one hand to promote the progress of the poorer countries and to advance social justice among the nations, and on the other to provide assistance for the retarded nations so that they may be able to make progress on their own. Consequently it will be the business of this Pontifical Commission:

1) to collect and summarize the more important scientific studies and doctrinal aids which concern either progress of any kind, for example in the field of education and mental culture, in the economic and social sphere and in other such matters; or peace itself in all those matters which transcend the cause of progress *("quae progressus causam superent").*

2) to encourage more thorough studies of the general ques-

tions that are proposed in the interest of progress and peace, from the standpoint of doctrine, the pastoral office and apostolic work.

3) to see to it that this doctrine and the information that is gathered in this way be brought to the attention of all the Institutes of the Church which may be concerned.

4) to establish relations between all Institutes in order to encourage a union of forces and to support stronger efforts, while at the same time taking care lest energy be wasted through various projects and activities competing in the same work.

III. The organization of these two Commissions will be as follows:

1) The Commission on the Laity and the Pontifical Commission of scholars, *lustitia ct Pax,* will have in common a President, chosen from among the Cardinals of the Holy Roman Church.

2) Likewise there will be for both Commissions a common Vice-President who is a Bishop.

3) A special Secretary will be assigned to each of these two Commissions.

4) The Secretary of the Commission for the Laity will be assisted by two Sub-Secretaries.

5) Each of these Commissions will consist of members and consultors, to be named by the Apostolic See.

6) All the offices (that is, those of the President, Vice-President, Secretary and Sub-Secretaries) will expire after five years. But the Apostolic See may, at the expiration of that time, confer the office again on the same persons.

7) The Commission for the Laity and the Pontifical Commission of scholars, *lustitia et Pax,* are established for five years by way of experiment, because the practice of the work and the experience of actual conditions may indicate some appropriate changes as regards their aims and permanent organization.

8) Both Commissions will have their seat in Rome.

9) We decree also that the period of suspension of the decree *ApostoUcam actuositatem* of the Ecumenical Council comes to an end today.1 But it will pertain to the Bishops and the Bishops' Conferences to put the decree into effect in their respective dioceses and countries.

These two Commissions which We have been very happy to

1 Cf. *Motu proprio* of 10 June, 1966, AAS 58-465, reported above, p. 259.

establish give Us a sure and firm hope that the lay persons of the People of God, to whom We have by this public ordinance given proof of Our growing esteem and benevolence, will feel themselves henceforth more closely associated with the Apostolic See in action and zeal, and will therefore devote their work, their forces and their good will to holy Church even more generously in the future.

Everything that We have decreed in this *motu proprio* letter, We wish to be firm and valid, all things to the contrary notwithstanding.

Given at Rome, from Saint Peter's, the sixth day of January, Epiphany of our Lord Jesus Christ, in the year 1967, the fourth of Our Pontificate.

AAS 59-25; Paul VI, *Molu proprio,* 6 Jan., 1967. Annotations in *African Eccles. Review,* 9 (1967)–332–340 (McCormick); *American Eccles. Review,* 157 (1967)–217–229 (McCormick).

Note: The names of the officials, members and consultors of these two bodies were announced by the Secretariat of State in AAS 59, pages 3S0 and 3S1.

Faith: Doctrine of Vatican II (Paul VI; Allocution, 8 Mar., 1967) AAS 59-343.

In connection with the "Year of Faith" Paul VI, in the regular Wednesday audience of 8 March, 1967, spoke in part as follows:

What is the doctrine of the Second Vatican Council on faith? Upon asking this question, one immediately realizes that the Council did not leave us a proper treatise on faith, as other Councils did. Famous, for example, is the teaching of the Second Council of Orange (Arausicanum II, A.D. 529), presided over by St. Caesarius of Arles. It was not an ecumenical Council, but was very important for polemics and discussions and for its doctrine, following St. Augustine, especially on the necessity of grace to arrive at justifying faith. It was confirmed by Pope Boniface II. Nor can we forget the teaching of the Council of Trent on faith, especially that faith must be integrated by charity, and on sacramental graces. Vatican I also spoke expressly on faith, in its famous constitution *Dei Filins* (1870), especially in chapters III and IV, explaining the operations of mind and will under the influence of grace in the act of faith, and indicating the relation between faith and reason. These teachings have pro-

vided subjects of study and discussion for apologetics, spirituality and the practical work of the Church up to our own day.

How then did the Second Vatican Council fail to have a "Chapter" expressly dedicated to faith, since this is now at the center of controversy and at the heart of religious life? We must be on our guard. Some have regarded this supposed omission as one of the planned points of the recent Council, namely, not to make any new solemn dogmatic definitions. This has caused some to suspect that dogmatic definitions are a thing of the past in Catholic teaching and consequently that the Council can be considered as a liberation from ancient dogmas and their anathemas. Faith, they say, is not dogma stated in words; such fixed formulas attempt to define and comprise truths that are immense, ineffable and inexhaustible. All right; even St. Thomas teaches that the act of faith has not as its term the formulas which express it but rather the reality to which these formulas refer; but not without an integral vision of the doctrine as a whole. Moreover it is said that faith is a virtue given to us by the Holy Spirit, and hence it seems that no intermediary can impose a particular discipline on it. Consequently one does not see what function can belong to a *magisterium* which defines the faith and holds it under tutelage. Faith, they say. should be free from external bonds; it should have conscience as the internal disciplinary instrument, and hence it could have different conceptions and different contents for different persons.

We do not want to think that the aim is to arrive at conclusions such as the following: the faith remains without "symbols" to define and express it; it has no univocal and authoritative catechesis; it becomes a source of division and not of union *(una fidcsl),'* it is without the guidance established by Christ, of an incontestable *magisterium* that watches over its expressions, promotes its teaching and propagation, defends its integrity, nourishes the faithful, imposes itself as obligatory.

We prefer to observe that, though the Council does not treat expressly of faith, it mentions it on every page, recognizes its vital and supernatural character, assumes it as integral and strong, and builds its teaching upon it. It should be sufficient to recall the conciliar statements on the necessary connection between the teaching Church and the faith (Constitution on the Church. *Lumen Gentium,* nn. 14, 4S), on the sense of faith

which guided by the sacred *magisterium,* animates the entire People of God *(ibid.,* n. 12), on the necessity of purity in the faith, declared precisely in connection with the ecumenical dialogue (Decree on Ecumenism. *Unitatis redintegratio,* η. 11), on the work of Bishops in teaching the truths of faith (Decree on the Pastoral Office of Bishops, *Christus Dominus,* η. 36), on the encounter of faith and reason in one truth at the level of higher studies (Declaration on Christian Education, *Gravissimum educationis,* η. 10), on the new synthesis which is now seen to be possible and magnificent between the ancient faith and modern culture (Pastoral Constitution on the Church in the Modern World, *Gaudium et spes,* η. 57), and so on. These declarations bring home to us the essential importance which the Council, following the doctrinal tradition of the Church, attributes to faith — the true faith that has Christ for its source and the *magisterium* of the Church for its channel.

AAS 59-343; Paul VI. Allocution, 8 March, 1967.

Fidelity to the Council: No Changes in Doctrine (Paul VI, 24 June, 1967) AAS 59-786.

An allocution of Paul VI to the College of Cardinals on the 24th of June, 1967, reviews the steps already taken to implement the provisions of the Council during the 18 months since its conclusion. The following passages, quoted verbatim, insist on fidelity to the letter and spirit of the Council and warn against opinions insinuating changes in doctrine.

"Lest We prove false to Our doctrinal and pastoral charge, We have often felt obliged to correct tendencies toward inaccurate and arbitrary interpretations of the teachings of the Council, and to encourage a sincere orthodoxy regarding the authentic doctrine of the Church. Accordingly We have pointed out the absolut necessity *("l'imprescindibile necessità")* of constantly facing ind loyally following the magisterium of the Church, which must be recognized as the charism of the permanent active assistance of the Holy Spirit, the soul of the Church and Master of all revealed truth.

"Hence We have at times reminded Our hearers to form a true doctrinal understanding of the Council as a confirmation, a coherent development of the Church's dogmatic heritage, and to shun the danger of some current opinions which insinuate an

arbitrary estimate of the Council, as though it could justify a view of Catholicism different from that which is already well defined, and could authorize free hypotheses of different and discordant religious ideologies (even while keeping a sentiment and affection for the Catholic religion). We have thus put the People of God on their guard against inadequate or insidious views regarding the Council. We are doing the same again, and We will do it in the future, relying on the unanimous assent of the Episcopacy, on the support which We gave also in the International Theological Congress, on the accord among the experts and masters in the Church of God; and moreover trusting in the sense of faith of the good people who believe and follow the Word of Christ as the Mother Church teaches and interprets it to them."

AAS 59-786; Paul VI, Allocution, 24 June, 1967.

Austria: Pastoral letter by Bishops of, on interpretations of decrees of Council and solutions seemingly not complying with spirit of Council, 16 Jan., 1967. English version in *American Eccles. Review,* 158 (1968)-50-58.

Bishops: Decree *Christus Dominus* of Vatican II, on the Pastoral Office of Bishops, 28 Oct., 1965 (AAS 58-673). The principal excerpts only are reported above under this same canon.

Christian Education: Declaration of Vatican Council II, approved 28 Oct., 1965 (AAS 58-728). See c. 1374, ref. Schools Admitting Non-Catholic Students.

Christian Unity, Secretariat for: Allocution, Paul VI to officials, members and consultors, 28 Apr., 1967 (AAS 5°–493). English version in *The Pope Speaks,* 12 (1967)-97-102.

Church in the Modern World: Pastoral Constitution, Vatican Council II, approved 7 Dec., 1965. Full English text in *The Priest, 22* (Feb., 1966)–1A-84A.

Code of Canon Law: *Consultors to the Commission* for revision. In the issue of AAS dated 27 June, 1964, the names of 70 Archbishops, Bishops, Monsignors, and secular and religious priests and one lay canonist, were announced as Consultors to the Pontifical Commission; 22 Archbishops and Bishops, 18 Monsignors, 13 diocesan priests, 16 religious priests, 1 lay canonist (AAS 56-473).

Pontifical Commission for revision. John XXIII established a Commission of 29 Cardinals for the revision of the Code of Canon Law, 28 March, 1963 (AAS 55-363). — New members: Paul VI appointed 12 Cardinals as new members of the same Commission (AAS 55-1056; no date given).

Formation of Priests: Decree, Vatican Council II, approved 28 Oct., 196S. Full English text, *with commentary,* in *The Documents o] Vatican II,* Guild Press, 850 Third Avenue, New York. See c. 974.

Fourth Session: *Convoked* for 14 Sept., 1965 (AAS 57-188). *Apostolic Exhortation* to all Bishops as session approaches, 28 Aug., 1965 (AAS 57-6S9). — *Opening:* Allocution of Paul VI after ceremonies opening the fourth session, 14 Sept., 1965 (AAS 57-804). *Documentation Catholique,* 62 (1965)–1653–1664; *Catholic Mind,* 63 (Dec., 1965)-5O-58. — *Close: Apostolic Exhortation* urging prayers at close of Council, Paul VI, 4 Nov., 1965 (AAS 57-865). — Letter to Cardinal Tisserant announcing the Council will close on 8 Dec., 1965, Paul VI, 9 Nov., 1965 (AAS 57-898). — *Observers and Auditors:* A complete list of the Observers and Auditors admitted to the fourth session of the Council is given in *Documentation Catholique,* 62 (1965)-18O6-1S14. The number of Observers and Guests of the Secretariate was, in this session, 99 from 28 Churches, as compared with 49 from 23 Churches in the first session. The Auditors numbered 52: 29 men, 23 women, of whom 10 were religious.

Holland: Pastoral "Council" to study the decrees of Vatican II. Letter of Paul VI to Cardinal Alfrink and the hierarchy, clergy and faithful of the Netherlands, 23 Nov., 1966 (AAS 59-29).

International Charity: Paul VI, Allocution to a group gathered in Rome for the study of n. 90 of the Pastoral Constitution on the Church in the Modern World, 11 May, 1966 (AAS 58–141).

lustitia et Pax: Pontifical Commission. Allocution of Paul VI to first meeting, 20 Apr., 1967 (AAS 59-421). English version in *The Pope Speaks,* 12 (1967)-108-109. This commission was demanded by Vatican II *(Gaudium et Spes,* η. 90). Its role was to be "to stimulate the Catholic community to foster progress in needy regions and social justice on the international scene." In his allocution of 23 Dec., 1966, n. 14, AAS 59-56, Paul VI announced that its role and structure would be fixed by a *Motu proprio* "soon to be issued." (Cf. *Motu proprio* of 6 Jan., 1967, AAS 59-25, reported above, p. 299.) It seems that the function of the commission will be study rather than direct action.

Jubilee: Paul VI, Allocution to persons of the Roman Curia who had just completed the requirements for gaining the indulgences of the Postconciliar Jubilee, 23 Apr., 1966 (AAS 58-377). The Ap. Const, of 7 Dec, 1965, establishing the Jubilee is reported in full above under this same canon (AAS 57-946).

Jubilee Extended: The time for gaining the Postconciliar Jubilee is extended to midnight following December 8, 1966. No change is made in the special faculties of confessors. The Bishop or his Coadjutor or Auxiliary, or another Bishop duly delegated is empowered to give the \postolic Blessing again during the extension, even though he gave it before The power of confessors to commute the prescribed works according to canon 935 is specifically mentioned. Paul VI, *Motu proprio,* 3 May, 1966 (AAS 58-337).

Laity Commission: Allocution of Paul VI to the first general meeting of the Commission for the Apostolatc of the Laity (established by the

Motu proprio of 6 Jan., 1067, reported above, p. 209). Pau] VI, 18 Apr, 1967 (AAS 50—116). English version in *The Pope Speaks,* 12 (1067)-106-108.

Non-Christian Religions: Decree of Vatican II, *Nostra aetate,* 28 Oct., 1965 (AAS 58-740).

Oriental Churches: Duration of the *vacatio legis* for the Decree of Vatican II on the Pastoral Office of Bishops. Sec c. 1, Declaration, 6 June, 1966; AAS 58-523.

Priests, Association of: Chicago: constitutions adopted 24 Oct., 1966; text in *Catholic Mind,* 65 (Jan., 1967)–55–59.

Priests, Formation: Decree of Vatican II, *Opiatam totius,* 28 Oct., 1965 (AAS 58-713).

Religious: Liturgical apostolate to concord with Hierarchy. See c. 487; private *monitum* from S. C. Rel., 14 Dec., 1965.

Religious Life: Decree of Vatican II, *Perfectae caritatis,* 28 Oct., 1965 (AAS 58-702).

Secretariate for Unbelievers: First Official Contacts. Conversations between the Secretariate for Unbelievers and the International Humanist and Ethical Union were held at Utrecht to determine whether international official relations between the two organizations are practicable. The Union was represented by its Secretary, Mr. Blackham (England), its executive director, Mr. McCarroll (United States), and Dr. Van Praag (Holland), President of the Humanist Association of the Netherlands. Representing the Secretariate were Dr. Baas, President of Catholic Action in Holland, and J. B. Metz, professor of fundamental theology in Münster. — Reported in *Documentation Catholique,* 62 (1965)–1502, citing *The Tablet,* 24 July, 1965.

Social Communication, Means of. Sec c. 1384, Constitution of II Vatican Council, 4 Dec., 1963.

Means of: Allocution, Paul λΓI to the Consultors of the Pontifical Commission, 25 Mar., 1966 (AAS 58-308).

Vatican Council II: *Anniversary of opening,* celebrated by allocution of Paul VI in the Basilica of St. Mary Major in honor of the Maternity of the Blessed Virgin Mary, 11 Oct., 1963 (AAS 55-872).

Conciliar Commissions: List of officers and members of the ten Conciliar Commissions and of the Administrative Tribunal (AAS 55-118).

Epistle of John XXIII to Conciliar Fathers, Epiphany, 6 Jan., 1963 (AAS 55-149) ; *The Catholic Mind,* June, 1963, p. 50.

Exhortation of John XXIII to all Bishops to sanctify the nine days preceding Pentecost by prayer for the grace of the Holy Spirit upon the Council, 20 May, 1963 (AAS 55-440).

Exhortation of Paul VI to prayer for the Council, 14 Sept., 1963 (AAS 55-553).

First Session: Allocution of John XXIII to the Conciliar Fathers at the conclusion of the first series of General Congregations, 7 Dec., 1962 (AAS 55-33). — Allocution of John XXIII after the Mass in Saint Peter's at the close of the first session of the Council, 8 Dec., 1962 (AAS 55-35) ; *The Catholic Mind,* Feb., 1963, p. 56.

Lenten Penance for the Council: Radio broadcast of John XXIII de-

livcred on Ash Wednesday, 27 Feb., 1963 (AAS 55-240); *The Pope Speaks,* 9 (1963-64)-142.

Liturgy: See c. 2, Constitution of II Vatican Council, 4 Dec., 1963.

Mozzetta: Wearing of, at sessions of the Council. See c. 349; AAS 55-779.

Prayer before Divine Office, for the Council. See c. 925; AAS 55-898.

Prayer of Clerics for the Council. See c. 925; AAS 55-1053.

Religious Women: exhorted to fervent prayer, exemplary virtue and earnest apostolic work in preparation for the II Vatican Council. John XXIII, 2 July, 1962 (AAS 54-508); English version in *The Pope Speaks,* 8 (1962–63)–153–162; *Review for Religious,* 21 (1962)–493-502.

Second Session: Announced: In an Audience of 27 June, 1963, His Holiness Paul VI decreed that the second session of the Council should begin on 29 Sept., 1963, the XVII Sunday after Pentecost, feast of Saint Michael Archangel (AAS 55-581). — *Convoked:* Letter of Paul VI issuing call to the second session, 14 Sept., 1963 (AAS 55-734). — *Opened:* Allocution of Paul VI at start of second session, 29 Sept., 1963 (AAS 55-841). *The Pope Speaks,* 9 (1963)-125.

Second Session: Closed.. Allocution of Paul VI, 4 Dec., 1963 (AAS 56-31). *The Catholic Mind,* 62 (March, 1964)–57–64; *The Pope Speaks,* 9 (1963-64)-221-229.

Third Session: Announced: In the Audience of 3 July, 1964, Paul λΓI decreed that the third session of the Council should begin on the 14th of September, 1964, feast of the Exaltation of the Holy Cross (AAS 56-600). — *Prayers for:* Apostolic Letter of Paul VI exhorting all Bishops to promote prayers for the success of the Council as Pentecost approaches before its third session, 30 Apr., 1964 (AAS 56-353). English version in *The Pope Speaks,* 9 (1963-64)-357-36O. — *Pastoral Problems:* Allocution of Paul VI to the Conference of Italian Bishops meeting in Rome before the third session in order to consider some pastoral problems likely to be presented in the *schemata* at that session, 14 Apr., 1964 (AAS 56-378). English version in *The Pope Speaks,* 9 (1963–64)–411–418.—Letter to Cardinal Tisserant *before opening* of third session. Paul VI, 1 Sept., 1964 (AAS 56-747). — *Opening:* Allocution of Paul VI at opening of third session, with concélébration by the Pope and 24 Conciliar Fathers, 14 Sept., 1964; the Pope spoke on the Role of the Episcopate (AAS 56-805). Full English text, *The Catholic Mind,* 62 (Nov., 1964)-55-64; *The Pope Speaks,* 10 (1964–65)-106-115.— *Observers:* Allocution of Paul VI to non-Catholic Observers, 29 Sept., 1964 (AAS 56-941). English version in *The Pope Speaks,* 10 (1964–65)–127-129. — *Missions:* Allocution of Paul VI at the third session of the Council, while presiding at the discussion of the *schema* on the Missions, 6 Nov, 1964 (AAS 56-998). — *Close:* Allocution of Paul VI at close of third session, 21 Nov., 1964 (AAS 56-1007). English version in *The Catholic Mind,* 63 (Jan., 1965)–56–64; *the Pope Speaks,* 10 (1964-65)-131-141. *Constitution on the Church:* See c. 329; Paul VI, 21 Nov., 1964. also c. 1276, note. *Constitution on the Oriental Churches:* See c. 1; Paul VI, 21 Nov., 1964. *Constitution on Ecumenism:* See c. 1258; Paul VI, 21 Nov., 1964.

.Address of Paul VI during last general session, 7 Dec., 1965; not reported in /1/1S; English version in *Catholic Mind,* 64 (Apr., 1966)-57-64.

Closing ceremonies and addresses, 8 Dec., 1965 (AAS 58-5).

Delegates: Allocution, Paul VI, in the Sistine Chapel, to extraordinary Delegates sent by 90 nations to attend the closing of the Council, 7 Dec., 1965 (AAS 58-71).

Homily, Paul VI at last public session, 7 Dec., 1965 (AAS 58-51).

Observers: Allocution, Paul VI in St. Paul's outside the Walls, to Observers sent to the Council as delegates of separated Churches, 4 Dec., 1965 (AAS 58-60).

The priest and the intellectual life: address of Archbishop Pellegrino at final session of members; English version in *Furrow,* 17 (1966)–265–268.

Vatican Council II: Allocution of Paul VI on first anniversary of closing of the Council, 8 Dec., 1966 (AAS 59-38).

Special Index of Council Documents

Bishops: Decree on the Pastoral Office of Bishops, 28 Oct., 1965. AAS 58-673.

Church: Dogmatic Constitution *De Ecclesia,* 21 Nov., 1964; AAS 57-5.

Pastoral Constitution on the Church in the Modern World, 7 Dec., 1965. AAS 58-1025. English version in *The Priest, 22* (Feb., 1966–1A-S4A

Communications: Decree on the Means of Social Communication, 4 Dec., 1963. Sec c. 1384; AAS 56-145.

Ecumenism: Decree on Ecumenism, 21 Nov., 1964. See c. 12S8; AAS 90.

Education: Declaration on Christian Education, 28 Oct., 1965. See c. 1374, ref. AAS 58-728.

Laity: Decree on the Apostolate of the Laity, 18 Nov., 1965. AAS 58-837.

Liturgy: Constitution on the Sacred Liturgy, 4 Dec., 1963. See c. 2; AAS 56-97.

Missions: Decree on the Mission Activity of the Church, 7 Dec., 1965. AAS 58-948.

Non-Christian Religions: Declaration on the Relation of the Church to Non-Christian Religions, 28 Oct., 1965. AAS 58-740.

Oriental Catholic Churches: Decree, 21 Nov., 1964. See c. 1; AAS 57-76.

Priests: Decree on the Formation of Priests, 28 Oct., 1965. AAS 58-713.

Decree on the Ministry and Life of Priests, 7 Dec., 1965. AAS 58-991.

Religious: Decree on the Adaptation and Renewal of Religious Life, 28 Oct., 1965. AAS 58-702.

Religious Freedom: Declaration on Religious Freedom, 7 Dec., 1965. AAS 58-929.

Revelation: Dogmatic Constitution on Divine Revelation, IS Nov., 1965. AAS 58-817.

Social Groups: Messages of the Council to Various Social Groups, 8 Dec., 1965. AAS 58-10.

CANON 223

Membership in Ecumenical Council: See c. 222, Decree on Pastoral Office of Bishops, n. 4.

Superiors General of religious *Congregations* having at least 1000 members were admitted to Vatican Council II by John XXIII and Paul VI. *Documentation Catholique,* 62 (1965)-36.

CANON 230

New Cardinals: Announced in Sacred Consistory of 26 July, 1967: Fasolino, Riberi, Beltrami, Pacini. Garonne, O'Boyle, Vagnozzi, Furstcnberg, Samore, Carpino, Maurer. Parente, Grano, Deil'Acqua, Staffa, Felici, Krol, Vcuillot, Cody, Ursi, Bengsch, Darmajuana, Wojtyla, Pellegrino, Renard. Brennan, Gut (AAS 59-705).

CANON 231

Oriental Patriarchs: Their Place in the College of Cardinals (Paul VI, *Motu proprio,* 11 Feb., 1965) AAS 57-295.

Turning Our attention to the College of Cardinals, We think it appropriate to make certain provisions of law by which a more honorable place in that exalted Council of the Supreme Pontiff will hereafter be given to those Oriental Patriarchs who are members of the supreme Senate of the Church.

Accordingly, derogating as far as necessary from canon 231, § 1 of the Code of Canon Law, We, by this Our *Motu proprio* Letter, decree as follows:

I. Those Oriental Patriarchs who have been brought into the College of Cardinals shall belong to the Order of Bishops in that College.

II. However, since they retain their own Patriarchal See, they shall not receive the title of any suburbicarian diocese nor belong to the clergy of Rome.

III. These provisions of law (nn. I and II above) apply also to those Cardinals who now hold the office of Patriarch in the Orient. Wherefore, laying aside their title in Rome, they pass *ipso iurc* from the priestly to the episcopal Order, and take their place in that Order according to the following norms.

IV. The first places in the College of Cardinals are those of the Dean and Assistant Dean: next come the other Cardinal

Bishops who either are in charge of suburbicarian dioceses or derive their title from them. For these dioceses, as history attests, always had a connection with the city of Rome, which is the seat of Our episcopate, and were in a certain sense one with it.

V. After these, a special place in the Order of Bishops in the Sacred College, concordant with their dignity, belongs to the Cardinal Patriarchs from the Orient, taking into account both the time and the order in which each one was made a Cardinal.

All that We have decreed in this Our *motu proprio* Letter is to be firm and settled, all things to the contrary notwithstanding.

Given at Rome, from Saint Peter's, the 11th day of February in the year nineteen hundred and sixty-five, the second of Our Pontificate.

AAS 57-295; Paul VI, *Motu proprio,* 11 Feb., 1965.

New Cardinals: In the Secret Consistory of 22 Feb., 1965, Paul VI announced the creation of 27 new Cardinals: 3 in the Order of Bishops: 20 in the Order of Priests; 4 in the Order of Deacons. Paul VI, Consistory, 22 Feb., 1965 (AAS 57-273). Biographical notes on each of the 27 new Cardinals arc given in *Documentation Catholique,* 62 (1965)—193-508. The complete list of the 103 who made up the College after this Consistory is given in column 509.

Suburbicarian Secs: Episcopal Conference for region of Latium includes them. S. C. Consist., 25 July, 1967 (AAS 59-085).

Titular Churches and Diaconias of Rome: In view of the increased number of Cardinals, Pope Paul VI, on 5 February, 1965, by distinct Apostolic Constitutions, honored nine more of the churches of Rome with cardinalitial titles, for the Order of Cardinal Priests, and eleven as *diaconias,* for the Order of Cardinal Deacons. They are:

For Cardinal Priests

S. *Crucis in Via Flaminia* (AAS 57-442)
Praecelsi Dei Matris in Urbe (AAS 57—444)
Dominae Nostrae a SS. Sacramento et Sanctorum Martvrum Canadensium (AAS 57-445)
Retinae Apostolorum, Romae in Via Antonini Pii (AAS 57—447)
SS. *Petri el Pauli ad Viant Ostiensem* (AAS 57-448)
S. *Leonis I Papae in Via Praenestina* (AAS 57—450)
S. *Camilli de Lellis ad Hortos Sallustianos in Urbe* (AAS 57-451)
Sacri Cordis Beatae Mariae Virginis (AAS 57—181)
Sancti Patricii in Urbe (AAS 57-482).

For Cardinal Deacons

SS.mi Nominis lesu (AAS 57-484)
SS.mi Cordis lesu ad Castrum Praetorium (AAS 57-485)
Sacri Cordis Christi Regis (AAS 57-487)
Dominae Nostrae a Sacro Corde (AAS 57-488)
Immaculati Cordis Beatae Mariae Virginis (AAS 57-490)
S. *Mariae Liberatricis ad Collem Testaceum* (AAS 57-491)
Annuntiationis Beatae Mariae Virginis in Via Ardeatina (AAS 57-493)
S. Michaelis Archangeli in Regione Pielralala (AAS 57-494)
Sanctorum Angelorum Custodum (AAS 57-496)
5. *Hieronymi a Caritate* (AAS 57–497)
S. *loannis Bosco, Via Tusculana* (AAS 57-498).

CANON 236

Options: In Consistory of 26 July, 1967: Cardinal Ottaviani, to title of S. Maria in Domnica; Cardinal di Jorio to title of S. Pudentiana; Cardinal Robcrti to title of Dodici Apostoli (AAS 59-715).

CANON 237

Election of the Dean and Assistant Dean of the Sacred College (Paul VI, *Motu proprio,* 26 Feb., 1965) AAS 57-296.

We deem it necessary to turn Our attention once more to the Sacred College of Cardinals, whose importance and dignity in these days are well known, in order to change the present provision of Canon Law and to establish a new norm for the succession of both the Dean and the Assistant Dean of that exalted Council. It is Our will that in future these two offices shall not be acquired *ipso turc* by the Cardinals who are seniors according to their promotion to some suburbicarian See (cf. can. 237, § 1), but by those whom the Cardinals who are Bishops of suburbicarian dioceses or are endowed with the title to them, shall have elected to those offices by vote.

Wherefore, derogating as far as need be from canon 237, §§ 1 and 2, of the Code of Canon Law, We, by this Our *motu proprio* Letter decree the following:

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their functions in Rome, and on the other hand in virtue of canon 23S, §§ 1 and 2, the Cardinals who are suburbicarian Bishops are obliged to reside in the Curia.

II. Therefore, when the office of Dean of the Sacred College becomes vacant, the Cardinals who either are Bishops of suburbicarian dioceses or have the titles to them, and they alone, the Assistant Dean presiding if he is present, otherwise the senior among them, shall elect one of their number to be the Dean of the Sacred College; and they shall report his name to the Supreme Pontiff, who alone has power to approve their action.

III. We wish this form of election to be observed in all respects also when the office of Assistant Dean becomes vacant; but in this case the Cardinal Dean is to preside at the election.

IV. We decree that this method of electing the Dean and the Assistant Dean, as prescribed in nn. I, II and III, be always observed in future.

V. From now on the Assistant Dean shall not have the right *ipso jacto* to succeed to a vacant Deanship, but only to take the place of the Dean when the latter cannot act.

VI. As regards the functions of the Dean and Assistant Dean of the Sacred College elected in this way, We desire that no change be made from the norms now in effect.

All that We have decreed in this Our *motu proprio* Letter is to be firm and settled, all things to the contrary notwithstanding.

Given at Rome, from Saint Peter's, the 26th day of February, in the year nineteen hundred and sixty-five, the second of Our Pontificate.

AAS 57-296; Paul VI, *Motu proprio,* 26 Feb., 1965.

CANON 238

Oriental Patriarchs. See c. 231 ; AAS 57-295.
Election of Dean and Assistant Dean. See c. 237; AAS 57-296.

CANON 242

Allocution to the Roman Curia (Paul VI, 21 Sept., 1963)

AAS 55-793.

Venerable Brothers and beloved sons:

It is easy to understand the motives that have prompted Us to call for this reunion. We desired to meet the Roman Curia,

that is, the persons, Cardinals, major and minor officials, ecclesiastics, directors, and functionaries who give their services to the Sacred Congregations, Tribunals, Offices, and to the various bodies and institutions of which the Pope avails himself for the government of the universal Church, the diocese of Rome and Vatican City.

Esteem and Gratitude of the Supreme Shepherd

We wanted this meeting, as We have said, at the beginning of Our apostolic ministry, first of all in order to extend to all here present in an explicit and collective manner Our cordial and respectful greeting. We had the honor Ourselves to exert Our humble services in the Roman Curia for many years; in the various ranks of which it is made up We have had very many worthy superiors and masters, excellent colleagues and collaborators, unforgettable friends. We have shared in the labors, the responsibilities, studies, joys, and sorrows of this complex and unique organism. We followed the development of its life for more than thirty years from a privileged vantage point, the Secretariate of State, that dear, good, and faithful office which assists the Pope in his personal activity, and We have thus been able the better to appreciate the wise composition of the Roman Curia, the outgrowth of a coherent and flexible tradition. We have heard the calls concerning the new needs of this organism: We have heard also the criticisms that have been directed against it, and have often made them a subject of serious reflection; finally. We have known and appreciated the efficient services which the Roman Curia performs for the Papacy and for the Church.

Tt has therefore presented itself to Us as a duty from the beginning of Our apostolic ministry to manifest Our paternal benevolence toward the persons who direct and compose the Roman Curia and to let them know what a pleasure and satisfaction it is for Us to be in communion with the Curia, not only in the specific work which occupies it so completely and in the juridical bond which links it to Us, but also in the spirit in which the work must be done, for the welfare and edification of the whole Church and her mission, and for the glory of Him who is our all, our Lord Jesus Christ.

Be pleased, therefore, Your Eminences, and you, venerable Brothers and beloved sons, to accept the expression of Our veneration, Our gratitude, and Our encouragement. May you all, with that devotion and loyalty of which the Roman Curia constantly makes affectionate profession, maintain also toward Us, the last in time and merit among the Servants of the Servants of God, for Our humble person and Our very difficult mission, the comfort of your constant solidarity, your filial obedience, and your strong collaboration. Maintain for Us also, as We said, the comfort of your intimate communion, which not only associates your hands and minds with Our Office, but also unites the feelings, the prayers, and the charity of your hearts to Our own heart, which with God's help desires to be for all of you the heart of a friend, a pastor, and a father.

The Ecumenical Council, a "Historic Moment"

Another reason for this meeting is suggested by the circumstance of the time of exceptional beauty and gravity in which, surely by the disposition of divine Providence, the Church — the Holy See in the first place and consequently also the Roman Curia — is called to live; it is a historic moment, a spiritual moment, this **II** Vatican Council, which as you know will solemnly reconvene in a few days.

It seems to Us appropriate that the Roman Curia should take cognizance with Us of this great event. Not that the Curia is unprepared for it — on the contrary, it is expecting and attending to it with alacrity; nor that it has failed to reflect on the tremendous importance of the Council during the first session— on the contrary, it is more aware of its extraordinary and complex dimensions than is any other sector of the Church or of public opinion, even to the point of betraying at times a certain stupor and apprehension in regard to the calling of a Council which was unexpected and unforeseen, and the grave problems which were sure to arise from it: but rather because this consciousness is deepened in all of us, becomes uniform and trustful and intimately penetrated with the thought that a great and mysterious fact is being realized under the guidance of the Holy Spirit at the tomb of the Prince of the Apostles, and is drawing this providential center of the Catholic Church into

the mighty stream of those secret forces of the Kingdom of God which ennoble its functions, show its cardinal position in the history of man's redemption, and serve as a rigorous public test of its virtues, forcing it, as it were, to be what it ought to be, a light of wisdom and holiness for the entire world.

The Precious Heritage of Pope John XXIII

A great and sacred hour is upon us. We, and you of the Roman Curia in the first place, must live it with deep understanding and generous hearts. Let the first expression of this equalization of our spirit with the greatness of the event be a uniformity of will and even of fervor for the worthy celebration of the Council, in a word an identity of views. This II Vatican Council called for a Pope to whom the spontaneous acclaim of the public truly applied the words of the Gospel about the Precursor of Christ: "There was a man sent from God, whose name was John." It is Our belief that history will repeat these words when it records the salutary results of this unforeseen and lightning-like decision of the man who called the Catholic Church into Council and opened to the separated Brethren the way and the heart for a sincere reconciliation. Whatever may have been the origin of the call to the Council, it was the Pope, the Vicar of Christ, who proclaimed it: it was the successor of Saint Peter, whom the Roman Curia, second to none, acknowledges as its Bishop, Master, and Head. We are sure that the Roman Curia will never show the slightest sign of hesitation to obey the sovereign will of the Pontiff: that the Curia will never be suspected of any divergence of judgment or sentiment from the judgment and sentiment of the Pope. If there ever was a time when this conformity of mind to what the Pope commands or desires should be rigorously univocal on the part of the Roman Curia and should be its law and its boast, now is the time to profess it resolutely and openly.

And because We know that this is and must be the determined will of each and every member of the Roman Curia, We desired for Our part by this reunion to express Our praise and encouragement of this filial and happy concordance of your thoughts and purposes with those of the Pope who now has received the heritage of John XXIII of happy memory and presents it as a program to the entire Church.

Close Adherence and Absolute Obedience to the Roman Pontiff

This accord between the Pope and the Curia is a standing practice. It is not only in the great hours of history that it shows itself and reveals its power; it is always present, every day, in every act of the papal ministry, as befits the organ of close adherence and absolute obedience which the Roman Pontiff employs in the performance of his universal mission. This essential relation of the Roman Curia to the apostolic activity of the Pope is the justification and the glory of the Curia itself, because it is the source of its necessity, its usefulness, its dignity, and its authority; the Roman Curia is an instrument which the Pope needs and which he uses to carry out his own commission from God.

From Rome Comes the Call for "Adaptation," that is, for Improvement

A most worthy instrument, it is no wonder that from all sides, and by Ourselves in the first place, so much is demanded and required of it! Its work demands capacities and virtues of the highest order, precisely because the office is of the highest grade. It is a most delicate function, this, of being the custodian and echo of divine truths and engaging in communication and dialog with human minds; a function of vast extent, which has for its field the entire world; a noble function, to listen to and interpret the voice of the Pope and at the same time to see that he lacks no item of useful and objective information, no element of filial and well-considered counsel. Wherefore, in order to do its work, the Roman Curia has to be very diligent and skilful. You know this, and this is the very thing you desire: you yourselves in the first place, and more than your critics, are eager to match with special qualifications the ever new and growing exigencies of your office.

We have spoken of critics! Yes, because it is a fact that, together with so many expressions of praise and appreciation for its undoubted merits, criticisms too have been directed at the Roman Curia. As We have pointed out, this results chiefly from the nature and purpose of the Curia itself; the measure of

giving is never satisfied when there is question of the service of Christ and of souls. That this phenomenon should appear from time to time in the history of the Church is therefore explainable and providential; it is a stimulus to watchfulness, a call to observance, an invitation to reform, a ferment of perfection. Criticisms which come to us, we ought to welcome with humility, reflection, and even with gratitude. Rome has no need to defend herself by being deaf to suggestions that come to her from honest voices, particularly when they are the voices of friends and brothers. Certainly she will reply to accusations, which are so frequently unfounded; she will defend her honor against them, but without shame, or retort, or polemics.

Meanwhile it is to be noted today that the plan of modernizing juridical structures and deepening spiritual consciousness not only meets no resistance from the center of the Church, the Roman Curia, but finds the Curia itself in the forefront of that perennial reformation which the Church, as a human and earthly institution, constantly needs. Rome is today the starting point of the invitation to adaptation — *"aggiornamcnto"* according to the expression used by Our venerable Predecessor — that is, to the perfecting of everything, internal and external, in the Church. It is from Rome that the announcement came of the revision of the Code of Canon Law, that is to say of the law which solemnly governs the City and the ecclesiastical world. It is from Rome that in the past hundred years has come that regular, tireless, coherent, stimulating system of government which has brought the whole Church not only to a level of external expansion which all must recognize, but also to a degree of sensibility and interior vitality in regard to the treasures and mysteries with which Christ has enriched her. Today, thank God, Saint Bernard would not write his scathing pages on the ecclesiastical world of Rome, nor the sixteenth century reformers theirs. The Rome of the papacy today is very different, and by the grace of God is so much more worthy, wiser, and holier, so much more conscious of her evangelical vocation, so much more deeply engrossed in her Christian mission, so much more eager for and consequently more susceptible of perennial renovation.

Praise for Faithful, Competent, and Devoted Service

We say this, venerable Brothers and beloved sons of the Roman Curia, for three reasons: to your praise, for your tranquility, and as an exhortation.

Praise is due precisely for the faithful, competent, and devoted services which you perform for the Holy See and the Pope, and hence for the whole Catholic Church. As executrix of the will of the One who has the responsibility and authority to shepherd the Church of Christ, the Roman Curia deserves the esteem, the confidence, and the gratitude of the Church, and Our own.

The tranquility which We would wish on this occasion to infuse into Our Curia concerns the possible reforms which must be adopted in its regard. That some reforms must be made in the Roman Curia is something not only easy to foresee but much to be desired. As we all know, this ancient and complex organism in its more recent structure goes back to the famous Constitution *Immensa aeterni Dei* of Pope Sixtus V in 1588; Saint Pius X gave it new life by his Constitution *Sapienti consilio* of 1908, and the Code of Canon Law in 1917 adopted substantially the same structure. Many years have passed; it is easy to understand how this organization is burdened by the very fact of its venerable age, how it must be conscious of the disparity between its organs and procedures and the needs and practices of new times, how it must feel the need of simplification and decentralization and of being broadened and adapted to new functions. Consequently there will be various reforms. Certainly they will be carefully weighed; they will be in line, on the one hand, with venerable and reasonable traditions, and, on the other, with the needs of the times. They will surely be workable and beneficial because they will have no other purpose than to eliminate what is antiquated and superfluous in the forms and norms which govern the Roman Curia and to put into effect what is vital and conducive to its more effective and proper functioning. They will be formulated and promulgated by the Curia itself! Hence the Roman Curia should not take alarm if, for example, it is recruited with a broader supra-national outlook, or if it is given a more careful ecumenical preparation. Did not Saint Bernard say, even in his time: “Why not choose from

the whole world those who some clay will judge the whole world?"[1] The Roman Curia will not be jealous of temporal prerogatives which belong to another age, nor of external forms which are no longer suitable to express and impress truths of high religious significance; nor will it cling inordinately to faculties which, without harm to the universal order of the Church, the Bishops themselves can in these days employ better on the local level. Nor will economic aims and advantages ever prevail to suggest reservations or centralization of power in the organs of the Holy See, unless these are demanded for the good of ecclesiastical order and the salvation of souls.

The High Call to Good Example Before the Church and the World

It is a sacred rule of the Dicasteries of the Roman Curia to consult the Bishops and to avail themselves of their judgment in ecclesiastical affairs. Among the Consultors of the Sacred Congregations there are quite a number of Bishops from various regions. And We will say more: if the ecumenical Council should show an inclination to have some members of the Episcopate, especially from among those who govern a diocese, associated in some way and for certain matters, according to Catholic doctrine and canon law, with the Supreme Head of the Church in the study and decision of questions of ecclesiastical government, surely it will not be the part of the Roman Curia to object. On the contrary the Curia will feel that the honor and the burden of its sublime and indispensable service has been enhanced; for, as is well known, that service, aside from the due procedure of ecclesiastical tribunals, both in the Roman Curia and in the dioceses, is specifically administrative, consultative, and executive.

The Roman Curia will thus be more keenly conscious of its vocation to good example before the whole Church and the world. This is the exhortation which We dare address to you at the conclusion of these simple words of Ours, which seem to Us to echo those of the Apostle Saint Paul, addressed precisely to the Church of Rome: "Your faith is spoken of in the whole world."[2]

1 *De consideratione*, IV, 4.
2 *Rom*, 1:8.

I

On all sides attention is centered on Catholic Rome, on the Roman Pontiff, on the Roman Curia. The duty of being authentic Christians is supremely binding here. We would not remind you of this obligation if We did not Ourselves recall it every day. In Rome everything has an educational influence on others: the letter and the spirit. One's thoughts, one's studies, one's speech, one's sentiments, actions, sufferings, prayer, how one serves and how he loves; every moment, every aspect of our lives radiates out upon our surroundings, for good if we are faithful to what Christ demands of us, for evil if we are unfaithful.

Community of Faith, Charity, Prayer, and Action

These are the reasons why We desire that besides your specific contribution of qualified service, Our Roman Curia, all of you. Brothers and sons, should give Us, or rather to the Church, to Christ our Lord, the precious offering of your example, of a rigorous disinterestedness and abnegation, of a religious and sincere piety, of a loving welcome to all who have recourse to you, and of eager service. The Roman Curia is not an anonymous body, insensible to the great spiritual problems, dictating laws automatically; it is a living organ faithful and docile to the Head of the Church, aware of the grave responsibility of its functions and full of reverence and solicitude toward the Prelates whom "the Holy Spirit hath placed as Bishops to rule the Church of God."[3] Let it not, therefore, be a bureaucracy, as some wrongly judge it to be, pretentious and apathetic, exclusively legalistic and ritualistic, a palestra of hidden ambitions and unreasoning antagonisms, as others accuse it of being; but let it be a true community of faith and charity, of prayer and action, a community of brothers and sons of the Pope, who, with due regard for the competency of others and with a sense of collaboration, do everything to help the Pope in the service which he gives to the brethren and sons of the universal Church and of the entire world. We know that this wish of Ours is an expression of your own, sincere and profound, and that this wish in Ourselves and in you takes the form of a prayer that the Lord Christ, through the intercession of the Most Blessed Vir-

[3] *Acts,* 20:28.

gin Mary and of the Holy Apostles Peter and Paul, may cause this ancient and ever new Roman Curia to radiate like the light on a candelabra, "that it may shine to all that are in the house."[4] *In the house,* that is, in the Church of God!

Finally, may it not displease you if We ask all of you, ecclesiastics and laymen of the Roman Curia, to add to your official labors some other spontaneous work in the ministry, some work of personal apostolate. Help the Pope to evangelize not only the World but the City of Rome as well, of which you are the first among the faithful and of which he is the Bishop!

Trusting in your goodness and assuring you that you are all present in Our prayers, We give you from Our heart Our Apostolic blessing.

AAS 55-793; Paul VI, Allocution, 21 Sept., 1963.

Diocesan Bishops as Members of Sacred Congregations (Paul VI, *Motu proprio,* 6 Aug., 1967) AAS 59-881.

This *motu proprio, Pro comperto sane,* opens with an introduction adverting to the need the Pope has, especially today, to have help from all over the world to manage the affairs of the Church. Vatican Council II had also called attention to this fact and expressed the desire that some diocesan Bishops be made members of the Sacred Congregations of the Roman Curia.[1] This *motu proprio* forms the first step toward reducing that desire to actuality. The dispositive section is as follows.

I. In addition to Cardinals, some Bishops of dioceses are also assigned to the Sacred Roman Congregations and they will be full-fledged members of these Congregations.

II. These Bishops participate as members in the plenary sessions in which matters of greater importance and those having the nature of general principles are to be treated. The ordinary sessions of the Sacred Congregations will continue to proceed according to custom; the Cardinals and those Bishop-members who happen to be in Rome will attend the meetings.

III. However, to avoid inconveniences which dioceses might suffer from frequent and prolonged absences of their Bishops (and in this respect We call attention to the provisions set down

4 Matt. 5:15.

1 *Christus Dominus,* n. 10, AAS 58 (1966), 677.

in canon law regarding the residence of Bishops), We decree that unless special circumstances suggest otherwise, the plenary sessions of the Sacred Congregations are to be held once a year at a convenient time to be determined by the said Congregations.

IV. The nomination of Bishop-members, which We reserve to Ourselves, is to take place in this way: The Cardinal Prefects of the individual Congregations are to make appropriate investigations and inquiries among the episcopal conferences and, if the case warrants it, also ask for a list of Bishop-candidates who are especially qualified in the matters under consideration. When this process has been completed, they are to propose the names so that We can make a free selection.

V. To each of the Sacred Congregations seven Bishops of dioceses are added. Thev are to be selected in such a wav that preferences be given to those who are truly qualified in the matters under consideration. Appropriate attention is also to be given to the regions where the Bishops dwell so that in some way they represent the universal Church.

For the plenary sessions of the Sacred Congregation for Religious, in view of the special function of this Department, ten members will be named of whom three will have to be selected from the list of Superiors General of clerical Orders or Congregations. This list will be drawn up by the Roman Union of Superiors General and presented to the Cardinal Prefect.

VI. So that the Sacred Congregations may always benefit from the experience of new and vigorous members, the term of office of members will be five years.

VII. With regard to the direction of the Sacred Congregation for the Propagation of the Faith, the length of the term of office of its members and other special prescriptions, the norms published by Us in the Letter. *Ecclesiae sanctae,*2 issued *motu propria* on 6 August, 1966 for the implementation of the decree of the Second Ecumenical Vatican Council, *Ad gentes divinitus,* as well as other norms which will be set down in the apostolic constitution on the Roman Curia' soon to be issued, are to be observed.

J Reported above in this volume, p. 264.

SN. IS. AAS 58 (1066), 963.

* *Regimini Ecclesiae universae,* 15 Aug., 1067, AAS 50 (1967), 8S5; reported in this volume immediately after this document.

Whatever, then, has been decreed by Us in this letter issued *wotu proprio,* We command to be held firm and valid, anything to the contrary notwithstanding.

Given at Rome, at St. Peter's, on the 6th day of this month of August, the feast of the Transfiguration of our Lord Jesus Christ, in the year 1967, the fifth of our pontificate.

AAS 59-881; Paul VI, *Motu proprio,* 6 Aug., 1967.

Roman Curia Reorganized (Paul XT, Ap. Const., 15 Aug., 1967) AAS 59-885.

This apostolic constitution, *Regimini Ecclesiae universae,* begins with a summary of the history of the Roman Curia. Mention is made of the restructuring undertaken by Pope St. Pius X and the wish of Vatican Council II for a reorganization of the Roman Curia. Some of the Sacred Congregations and Offices provided for in the Code of Canon Law are suppressed by non-inclusion among the departments of the reorganized Roman Curia; some new departments are established. Pope Paul explicitly adverts to these changes when he states: "Although some of the Sacred Departments have been suppressed, their number is increased by the establishment of the Council for the Laity, of Secretariats, and of the General Accounting or Statistics Office of the Church."

The dispositive sections of this constitution are as follows.

GENERAL NORMS

Chapter I

Constitutive Norms

1. § 1. The Roman Curia, through which the Supreme Pontiff normally expedites the affairs of the universal Church,[9] is made up of Congregations, Tribunals, Offices and Secretariats.

§ 2. The Congregations are juridically equal.

§3. If any conflicts of competence arise, they are submitted to the Apostolic Signatura.

2. § 1. The Congregations are composed of Cardinals whom the Supreme Pontiff has decided to assign to them.

§ 2. While the ordinary meetings of the Cardinals remain unchanged. the Bishops of dioceses who have been named by the

9 Can. 7. Translator's Note: The first eight footnote references are found in the introduction to this constitution.

Supreme Pontiff take part as members in the plenary sessions which treat matters which are of greater importance or which have the nature of a general principle.

The convoking of the Bishops must take place in accordance with the Apostolic letter. *Pro comperto sane,* issued *motu proprio,* on 6 August. 1967.91

Regarding the Sacred Congregation for Religious, the special prescription set down in the said *motu proprio* under η. V is to be observed. As for the Sacred Congregation for the Evangelization of Nations or for the Propagation of the Faith, the norms set down in 83, § § 2-3 of this constitution are in force.

§ 3. The Congregations are presided over and directed by a Cardinal Prefect.

§ 4. Assisting the Cardinal Prefect are a Secretary, chosen by the Supreme Pontiff, an Undersecretary, also named by the Supreme Pontiff, and other officials.

§ 5. Cardinals are appointed as members of a Congregation for five years and can be re-appointed; the same is true of the Secretaries of the Congregations. However, they require the confirmation of a newly-elected Supreme Pontiff within three months after his election. All those, however, mentioned above in § 2 are appointed for five years according to the prescription of the aforementioned *motu proprio* of 6 August, 1967, under η. VI.

3. Officials are selected from various nations and from men who are truly qualified and have had pastoral experience.

4. Those chosen for anv office cannot claim for themselves the right to advance to a higher office.

5. § 1. In all Departments there are Consultors chosen by the Supreme Pontiff from all over the world for five-year terms, both from among the residential or titular Bishops and from among truly learned diocesan or religious clergy known for their prudence and experience, and, if the matter submitted to any Department suggests it, from laymen outstanding in virtue, knowledge, and experience, especially from among university professors.

§ 2. Consultors can be reappointed for another five years.

§ 3. Consultation can be carried on both by written opinions which are to be sent to Rome, and in meetings which are to be called as occasion arises.

"AAS 50 (too"). SSI; reported in this volume, p. *322.*

§ 4. Moreover, depending on the particular type of business, Consultors are heard whose advice shall seem necessary or useful.

§ 5. In individual cases, others can be called upon for consultation who, although not on the roster of consultors, are recommended by their special competence in the matter to be treated.

6. Each Department shall gather statistical information and send it to the General Statistics Office of the Church.

7. Questions which are to be examined judicially must be referred to the competent Tribunals.

8. Consideration is to be given to the recommendations made by the episcopal conferences and good relations are to be fostered with similar interdiocesan or regional bodies. Acknowledgement of the receipt of any record which the Bishops have transmitted is to be sent to them without delay, and, insofar as it is possible, Bishops should be notified of departmental decrees which are of special importance to their dioceses before these decrees are promulgated.

9. § 1. The Departments of the Roman Curia, within the limits of their own competence, should examine carefully and as soon as possible the reports prepared at set times by Bishops and others not having a superior below the Supreme Pontiff, regarding the state and progress of the dioceses and other institutions so that timely provisions may be made in those matters which seem necessary or useful for the good of the Church.

§ 2. For this purpose, clear and concise questionnaires, distinguished for brevity and clearness, are to be prepared and norms are to be given for the proper preparation of a single report, divided into sections, to be sent every five years to the Sacred Congregation for Bishops.

10. In addition to the official Latin language, communication with the Roman Curia may be carried on in any of the widely-known modern languages.

11. § 1. With the exception of the formalities concerning the conferral of benefices or non-consistorial offices, only the more important matters are to be expedited by the competent Departments in the form of a Bull.

§ 2. In expediting less important business, the documents or acts are to be drafted in the simpler form of a Brief or Letter or Rescript, depending on the nature of the business, provided that they are properlv signed and authenticated.

§ 3. The Apostolic Chancery attends to the expediting both of Bulls and of Briefs of greater importance, according to special norms yet to be issued.

12. Without prejudice to the prescriptions of the Code of Canon Law[10] and in addition to the norms set forth above, the following regulations are to be observed: the common norms or *Ordo* soon to be published: the special norms to be determined by the individual Departments as soon as possible after consultation with the other Departments, if necessary, and then submitted to the Supreme Pontiff for approval.

Chapter II
Norms Regarding Mixed Business

13. Mixed business, i.e., that which falls within the competence of several Departments, or similar matters are to be examined in consultation with all the Departments concerned. If the matter in question requires, it is referred to a plenary session. If, on the other hand, the business is minor, the prescription of number 16 below is to be taken into account.

14. For such joint consultation, a meeting is to be called by the Cardinal Prefect to whom the question was first referred either *ex officio,* or at the request of another Department, or on his own initiative, or at the request of the interested party.

15. § 1. The Cardinal who called the meeting, presides over it.

§ 2. The first to speak at these meetings is the Cardinal Reporter, if he is present: in his absence, the Cardinal Prefect who called the meeting.

§ 3. The function of secretary is performed by the Prelate who is Secretary of the Department which called the meeting. His task will be to take down in writing the resolution arrived at in the meeting, or at least the dispositive part of it and, at the end of the session, submit it to the Fathers for approval.

16. In minor questions, either the Cardinal Prefects or the Prelate Secretaries can assemble in a similar way. In the second case, the Secretary of the Department convoking the meeting presides and the function of secretary is performed by the Secretary who is the junior according to the rule of canon law.[11]

17. At set times, the Cardinal Prefects of the Congregation

[10] Can. 243, § 2 and can. 244. §§ 1-2.

[11] Can. 106.

for Bishops, for the Clergy, for Religious and for Catholic Education shall meet, if necessary, to coordinate their work and settle questions pertaining to the clergy as a whole.

18. When it seems advisable, the Cardinal Secretary of State can call a meeting of the Cardinal Prefects of Departments to coordinate their work, supply information, or seek their advice.

II
THE SECRETARIAT OF STATE OR PAPAL SECRETARIAT AND THE SACRED COUNCIL FOR THE PUBLIC AFFAIRS OF THE CHURCH

Chapter I
The Secretariat of State or Papal Secretariat

19. § 1. The Secretariat of State or Papal Secretariat, which is presided over by a Cardinal Secretary with the assistance of a Substitute and an Assessor, has the function of giving the most immediate help to the Supreme Pontiff both in the care of the universal Church and in his dealings with the Departments of the Roman Curia.

§ 2. When the Apostolic See is vacant, the Substitute assumes the direction of the office, for which he is responsible to the Sacred College of Cardinals.

20. It is the duty of the Cardinal Secretary to convoke the Cardinal Prefects of the Departments of the Roman Curia at set times according to the prescription of number 18, to coordinate their work, supply information, and seek their advice.

21. It belongs to the Secretariat of State or Papal Secretariat to carry out everything the Supreme Pontiff entrusts to it; to take upon itself matters relating to ordinary business which are beyond the competence proper to Departments of the Roman Curia; to promote relations with these Departments and also with the Bishops, the Legates of the Holy See, civil governments and their legates, and with individual persons, but always without prejudice to the competence of the Sacred Council for the Public Affairs of the Church, and insofar as necessary, working jointly with it.

22. The Secretariat of State or Papal Secretariat comprises:

1) the Office for writing up in Latin the apostolic letters, epistles, and other documents committed to it by the Supreme Pontiff.

2) The Office for expediting Briefs of lesser importance. It is also the function of this Office to draw up and expedite apostolic letters which are to be handed over for execution by the Cardinal Vicar for the conferral of dignities, canonries, and lesser benefices in the patriarchal and collegial chapters of the city of Rome.

3) The Office for gathering news, newspapers, periodicals and other writings of this kind, and also for receiving and correlating information.

23. The Secretariat of State or Papal Secretariat, together with the Sacred Council for the Public Affairs of the Church, supervises in a special way the Commission for Social Communications Media.12

24. Likewise, the Secretariat of State supervises the General Statistics Office of the Church.

25. The Prefecture *(Govematorato)* of Vatican City is responsible to the Cardinal Secretary of State.

Chapter II

The Sacred Council for the Public Affairs of the Church

26. The Congregation which to the present was called the Congregation for Extraordinary Ecclesiastical Affairs and which in the future will be called the Sacred Council for the Public Affairs of the Church, is henceforth distinct and separated from the Secretariat of State or Papal Secretariat, even though it must have continuous relations with it.

27. § 1. A Cardinal Prefect presides over the Sacred Council for the Public Affairs of the Church with the assistance of a Secretary and an Undersecretary.

§ 2. The offices of the Prefect of the Sacred Council for the Public Affairs of the Church and of the Secretary of State are held by the same person.

28. It is the function of this Sacred Council to handle all those matters which must be transacted with civil governments;

12 Apost. Letter, *In fructibus multis,* issued *motu proprio 2* April, 1964 (AAS 56 [1064] 280-262). reported below in this volume, p. 805

also to apply itself to all those matters the Supreme Pontiff submits to its examination, especially those which have some connection with civil law; likewise to foster diplomatic relations with nations; to take care of those matters pertaining to Nunciatures. Internunciatures and Apostolic Delegations, jointly with the Secretariat of State with which it is, moreover, joined in closer bonds as often as a matter to be dealt with also enters the competence of the Secretariat.

III
THE SACRED CONGREGATIONS

Chapter I

The Sacred Congregation for the Doctrine of the Faith

29. The Sacred Congregation for the Doctrine of the Faith has the task of safeguarding the doctrine of faith and morals in the whole Catholic world.[3]

30. It is presided over by a Cardinal Prefect with the assistance of a Secretary, an Undersecretary, and a Promoter of Justice.

31. All questions which touch upon the doctrine of faith and morals or which are connected with the faith itself pertain to this Congregation.

32. It examines new doctrines and new opinions, no matter how they may be spread abroad, and promotes studies on these matters as well as fosters congresses of learned men. On the other hand, it condemns those doctrines which are shown to be opposed to the principles of faith, after having heard the Bishops of regions if it is of interest to them.

33. It carefullv examines books which have been referred to it and, if necessary, condemns them after the author, however, has been given a hearing and an opportunity to defend himself, even in writing, and only after the Ordinary has been forewarned as has already been provided for in the constitution, *Sollicita ac provida,* of Benedict XIV.

34. It also has the task of examining, both in law and in fact, all that concerns the privilege of the faith.

[1] \post Letter, *Integrae servandae,* issued *motu proprio* 7 Dec., 1965 (AAS 57 [19651, 952). reported below in this volume, p. 358.

35. It has competence to pass judgment on errors regarding faith according to the norms of ordinary procedure.

36. It acts to safeguard the dignity of the sacrament of penance, proceeding according to its own revised and approved norms. These regulations will be made known to local Ordinaries. The accused will be given an opportunity to defend himself and to select an attorney from among the number of those approved by the Congregation.

37. It fosters opportune relations with the Pontifical Biblical Commission.

38. The Congregation is assisted by a group of consultons who have been selected by the Supreme Pontiff from men around the world who are outstanding for learning, prudence and experience.

If the matter to be treated demands it, experts chosen especially from university professors, can be added to the group of consultons.

39. The Congregation proceeds in a twofold manner: either administratively or judicially, depending on the nature of the matters to be treated.

40. The rules governing the internal organization of the Congregation will be made public in a special instruction.

Chapter II

The Sacred Congregation for the Oriental Churches

41. The Congregation which until now has been called the Sacred Congregation for the Oriental Church shall henceforth be known as the Sacred Congregation for the Oriental Churches.

42. This Congregation, over which a Cardinal Prefect presides with the assistance of a Secretary and an Undersecretary, in addition to the Cardinals selected by the Supreme Pontiff, will also include among its members the Patriarchs of the Oriental Churches, Major Archbishops equivalent to patriarchs, and the Cardinal President of the Secretariat for Promoting Christian Unity, without prejudice to the prescription mentioned in the *General Norms,* n. 2, § 2. Moreover, consultors are chosen either from members of the various Oriental rites or from members of the Latin rite who are recognized for their learning and experience in the disciplines subject to it. The Secretary of the Secretariat for Christian Unity is always one of the consultors.

43. The said Congregation has a separate office for each of the Oriental Churches in communion with the Apostolic See.

44. The Congregation for the Oriental Churches takes cognizance of all business of any kind which pertains either to persons. or discipline, or the rites of the Oriental Churches, even if such business be mixed, that is, even if because of the nature of the matter or the persons, it involves Latins. Those territories in which a majority of the Christians belong to the Oriental rites are subject to this Congregation alone. Moreover, in Latin territories, it carefully supervises, even by means of canonical visitors, the as yet unorganized nuclei of Oriental-rite faithful, and provides, as much as possible, for their spiritual needs through the establishment of their own hierarchy if the number of the faithful and circumstances warrant this.

45. § 1. The Congregation enjoys all the faculties possessed by other Congregations for the Churches of the Latin rite, leaving to the other Departments, however, those matters which belong to them and always leaving intact the rights of the Apostolic Penitentiary.

§ 2. As regards members of religious institutes of the Latin rite who are missionaries in those regions mentioned in n. 44, this Congregation has competence over them in their capacity as missionaries, whether they be considered singly or collectively. On the other hand, whatever pertains to them as religious, either singly or collectively, is referred or left to the Congregation for Religious.

§ 3. This Congregation, moreover, takes counsel with the Secretariat for Christian Unitv on those matters which concern the separated Oriental Churches, and with the Secretariat for Non-Christians, particularly regarding relations with the followers of the Islamic religion. *

Chapter III

The Sacred Congregation for Bishops

46. The Congregation which until now has been called the Sacred Consistorial Congregation, shall hereafter be known as the Sacred Congregation for Bishops.

47. A Cardinal Prefect presides over the Congregation for Bishops with the assistance of a Secretary and an Undersecretary.

48. In addition to others whom the Supreme Pontiff shall

appoint to the Congregation, the Cardinal Prefects of the Sacred Council for the Public Affairs of the Church and of the Congregations for the Doctrine of the Faith, for the Clergy, and for Catholic Education are *ex officio* members. Among its consultors are the Substitute Secretary of the Secretariat of State or Papal Secretariat, the Secretaries of the Departments for the Public Affairs of the Church, for the Doctrine of the Faith, for the Clergy, and for Catholic Education.

49. § 1. In places and as regards persons not subject to the Congregation for the Oriental Churches or the Congregation for the Evangelization of Nations, it belongs to the Congregation for Bishops: to establish new dioceses, provinces, regions and, after they have been established, to divide, unite, or revise the same both at the proposal of the interested episcopal conferences[14] and after hearing their opinion, if the case warrants it; to erect Military Vicariates and, after consulting the territorial episcopal conference, Prelatures for carrying out special pastoral activities for various regions or for social groups requiring special help.[15] It deals, moreover, with matters concerning nomination of Bishops, Apostolic Administrators, Coadjutor and Auxiliary Bishops, Military Vicars, and other Vicars or Prelates enjoying personal jurisdiction.

§ 2. On the other hand, whenever civil governments must be dealt with in the erection, division, or provision for dioceses, the transactions are handled by the Sacred Council for the Public Affairs of the Church[16] without prejudice to special provisions for some country;[17] but in each case the Congregation for Bishops and the Sacred Council for the Public Affairs of the Church will proceed by consultation and, ordinarily, by referral of the matter to a mixed committee of Cardinals with advance information on each other's activity. This is always to be without prej-

14 Vat. Coun. II; decree *Christus Dominus,* nn. 22-24, 39—10 (AAS 58 [19661, 683, ff., 694).

15 *Ibid.,* n. 42; decree *Presbyterorum ordinis,* η. 10 (AAS 58 [1966], 1007); *motu proprio, Ecclesiae sanctae,* oi o Aug., 1°oo, I. 4 (AAS 58 [10661, 760) The *motu proprio* is reported above in this volume, p. 264.

16 Can. 255.

17 Letter of Pope Pius XI, 5 July, 1925, and the rescript for Italy from the papal audience of 7 March, 1930.

udice to the norm of harmoniously determining ways in which related matters are to be handled which are subject to review by several Departments of the Roman Curia, each within the limits of its own competence.

§ 3. In all cases, however, it belongs to the Congregation for Bishops to issue the decree of erection, division, or provision for dioceses.

§ 4. It belongs to this same Congregation to take cognizance of all those things which have to do with Bishops, whether it be their persons, their work, or their pastoral activity, and likewise to make provision for them when they leave office.[18] Wherefore, this Congregation looks to those things which pertain to the state of dioceses and to episcopal support. It receives and assesses the written reports sent in by the Bishops on the state and progress of their dioceses. In concert with other Departments whose interests are involved, it orders apostolic visitations and examines their results, transmitting in each case to individual Departments those matters which specifically pertain to them.

§ 5. Furthermore, it oversees all that pertains to Primates and Metropolitans, arranges for the conferral of the sacred pallium, and prepares the agenda for consistories.

50. In places not subject to the Congregations for the Oriental Churches and for the Evangelization of Nations, it is up to the Congregation for Bishops in consultation with the Congregation for the Clergy and, insofar as there is need, with other Departments whose interests are involved, to study matters pertaining to the convocation and recognition of particular councils and to Assemblies or Conferences of Bishops.[19]

51. It has competence to issue norms by which harmonious provision is made for the more urgent needs of the faithful through episcopal conferences, especially those of national scope. In conjunction with other Departments, it also has competence to prepare general directories for the use of Bishops on the care of souls so as to offer Bishops definite methods to discharge their pastoral office more easily.[20]

** Vat. Coun. II; decree *Christus Dominus,* η. 21 (AAS 58 [1966], 683).

[18] *Ibid* , nn. 36-38. See also *motu proprio, Ecclesiae sanctae,* I, 41, §§ 1-5.

[19] *Ibid.,* n. 44.

52. To the said Congregation for Bishops are attached these Commissions and Secretariats: for Emigration; for the Works of the Apostolate of the Sea, the Apostolate of the Air, and the Apostolate for Migrants. In these cases, it is to collaborate with the Departments for the Clergy and for the Laity.

53. It is the duty of the Cardinal Prefect of this Congregation to convoke, either *ex officio* or at the instance of the interested parties, the Cardinal Prefects of the Congregations for the Clergy and for Religious as well as, if necessary, of the Congregation for Catholic Education for the purpose of examining questions concerning the entire clergy and of coordinating their work.

Chapter IV

The Sacred Congregation for the Discipline of the Sacraments

54. The Congregation for the Discipline of the Sacraments, over which a Cardinal Prefect presides with the assistance of a Secretary and an Undersecretary, sees to all things which pertain to the discipline of the seven sacraments. Remaining intact are the fields of competence of the Congregation for the Doctrine of the Faith regarding doctrine; of the Congregation of Rites regarding the rites and ceremonies used in the confection, administration. and reception of the sacraments; of the Apostolic Signatura regarding extension of competence in the same cases and the task of supervising the administration of justice according to the norms of law and the setting up of regional or interregional tribunals; of the Sacred Roman Rota regarding cases involving nullity of marriage.

55. What is customarily decreed and granted in the discipline of the sacraments and in the celebration of the Eucharistic sacrifice pertains to this Congregation. Moreover, the said Congregation has the power to grant dispensations which go beyond the competence of Bishops, even from the Eucharistic fast either of the faithful, or, after consultation, if necessary, with the Congregation for the Doctrine of the Faith, of priests celebrating Mass.

56. § 1. Moreover, it alone passes judgment on the fact of non-consummation of marriage, even between a Catholic party and a baptized non-Catholic and between two baptized non-Catholic parties, whether they belong to a Latin rite or to an Oriental rite.

Similarly it investigates the existence of causes for granting a dispensation and all that is related to these causes.

§ 2. In cases of non-consummation of marriage between spouses belonging to Oriental rites, it takes care that the proceedings are examined by a special commission composed of experts in matters Oriental.

57. In the same way. it pertains to this Congregation to oversee the obligations attached to major Orders and to examine questions on the validity of sacred ordination, or to pass such questions on to the competent tribunal, after consulting, if necessary, with the Sacred Congregation for the Doctrine of the Faith.

Chapter V

The Sacred Congregation of Rites

58. The Sacred Congregation of Rites has competence over everything which directly and immediately concerns divine worship in the Roman rite and in the other Latin rites, without prejudice to the competence of other Departments in those things which pertain to doctrine or discipline or which require judicial proceedings.

59. Likewise, it handles everything which is related in any way to the beatification and canonization of Servants of God or to sacred relics.

60. The Congregation, over which a Cardinal Prefect presides with the assistance of a Secretary, is divided into two sections: Liturgical, or that dealing with worship; and Judicial, or that dealing with the causes of the Servants of God.

Section I

61. § 1. The *Section on Worship* which has its own members and consultors, includes all those things regarding worship, be it liturgical or non-liturgical, and has as its immediate head an Undersecretary.

§ 2. This section is divided into three Offices:

1° The *First Office* takes care of the ordering of liturgical divine worship in its pastoral and ritual aspects.

2C The *Second Office* promotes relations with episcopal conferences and liturgical institutes; gathers and examines news about liturgical life in the Church and about writings published on liturgical matters. Until the present liturgical renewal has been brought to completion, the functions of the Commission

for the Implementation of the Second Vatican Council's Constitution on the Sacred Liturgy remain intact.

3° The *Third Office,* namely that for non-liturgical cult, deals with holy and pious exercises of the Christian people, without prejudice to the competence of the Sacred Congregation for the Doctrine of the Faith.

§3. This section is assisted both by its own group of consultors to be chosen by the Supreme Pontiff from men all over the world who are most qualified in liturgical matters and by commissions for the investigation of the more difficult questions.

§ 4. The Commission for the Implementation of the Second Vatican Council's Constitution on the Sacred Liturgy engages in revising liturgical books and in carrying out liturgical renewal. However, its definitive conclusions must be submitted to the plenary sessions of this section.21

Moreover, consultors of this Commission are by that very fact experts of the Sacred Congregation of Rites.

Section II

62. § 1. The *Judicial Section,* or that concerned with the causes of the Servants of God, is under the leadership of the Secretary and the immediate direction of an Auditor General. It is in charge of those things which pertain either to directing the processes of beatification and canonization of the Servants of God, including those belonging to Oriental rites, or to sacred relics.

§ 2. The Judicial Section is further divided into three subsections, to each of which a suitable number of Cardinals and consultors is assigned by the Supreme Pontiff.

1° The *First Subsection,* under the direction of the Auditor General, reviews petitions for the introduction of causes: gives the norms for setting up the canonical processes: examines the acts of the preliminary hearing, and orders additional hearings, if necessary. In particular, it judges the advisability of introducing a cause but always only after having heard at least three consultors and studied the opinion of the Promoter General of the Faith. The decision, however, is to be made by the commission of Cardinals in charge of this matter.

The same Subsection passes judgment on minor questions, the validity of acts, and incidental questions.

=1Can7 244.

2° The *Second Subsectian* consists of a certain number of consultors who function as judges under the direction of the Auditor General. In addition to the aforementioned consultors. the following also have a right to be present and to vote: the Prelate Officials, the Promoter General of the Faith as well as the Subpromoter, the Reporter General. This Subsection passes judgment on the writings of the Servants of God, the grade of heroicity of their virtues, or on their martyrdom, or on the historical duration of their cult.

The decision of the group, supported with arguments and signed by all the members, together with the written vote of each one, the observations of the Promoter General of the Faith, and the replies of the Advocate, must always be transmitted by the Auditor General to the group of Cardinals assigned to this Subsection. Under the presidency of the Cardinal Prefect and with the assistance of the Secretary of the Congregation, they decide whether the cause can proceed further, or whether it is necessary to institute another preparatory process, or whether the cause should be set aside.

3° The *Third Subsection* is composed of a certain number of consultors distinct from those mentioned in § 2, 2°, under the direction of the Prelate Secretary of the Congregation. Others who are to be present and have the right to vote are: the Auditor General, the Prelate Officials, the Promoter General of the Faith as well as the Subpromoter, and the Reporter General. After having obtained the report of the physicians and read the observations of the Promoter General of the Faith and the replies of the Advocates, it reviews the miracles wrought through the intercession of the Servant of God.

The decision is made in the same manner described above under § 2, 2° and must be submitted to the group of Cardinals of this Subsection.

§ 3. According to the norms of the sacred canons,[22] a report must always be made to the Supreme Pontiff on the decisions made by the Cardinals in the three Subsections.

§ 4. With regard to the Second and Third Subsections, the general meetings in the presence of the Supreme Pontiff which are mentioned in the Code of Canon Law,[23] remain in force. This

--Can. 2111.

-3 Can. 2112, 2113, 2123, 2124.

is also true of the rites and solemnities customary in the Roman Curia for the canonization of a beatified person after canonization has been decreed in a consistory.[24]

§ 5. In the Judicial Section, there is a distinct Office of Promoter General of the Faith who with the assistance of a Subpromoter General, other deputy Subpromoters and a suitable number of officials, makes observations on the validity of the acts and on doubts concerning the heroicity of virtues, martyrdom, the absence of cult, the historical duration of cult, and miracles.

§ 6. The Judicial Section has its own chancery which is directly subject to the Auditor General but still under the authority of the Cardinal Prefect and the Prelate Secretary.

§ 7. The Judicial Section, finally, is to have a list of advocates and procurators who must possess those qualities and degrees required by law,[24*] and of a group of physicians legitimately chosen from among those who are of outstanding knowledge and integrity.

63. To both sections, namely, the section on worship and the judicial section on the causes of the Servants of God, there is to be an historico-hagiographical office which is governed by its own special statute which is mentioned in the apostolic letter *Gia da qualehe tempo,* issued *motu proprio* by Pius XI on 6 February, 1930.[25*]

64. In questions about sacred relics or about keeping the veneration of the saints in accord with the norms of Catholic doctrine, both sections, each maintaining its own competence intact, proceed with mutual assistance.

Similarly, the archives, library, records, treasury, and other items which can be useful to the Congregation are the common heritage of both sections.

Chapter VI

The Sacred Congregation for the Clergy

65. In order that the name may correspond more accurately with its activity, the Sacred Congregation of the Council will

-•Can. 2141.

-•'Can. 201S.

251 AAS 22 (1930), 87; reported in Canon Law Digest, 1, p. 166.

henceforth be known as the Sacred Congregation for the Clergy.

66. The Congregation for the Clergy, over which a Cardinal Prefect presides with the assistance of a Secretary and an Under-secretary, is competent in all those matters which concern clerics who exercise the apostolate in a diocese, both as regards their person and their work and pastoral ministry.

The Congregation is divided into three offices.

67. § 1. The *First Office* of the Congregation seeks out, proposes and urges means and aids whereby priests are to strive to acquire holiness.20 They are not to neglect studies27 so that having become more and more educated, especially in divine revelation, theological science, liturgical arts, and the humanities, they may exercise the priestly ministry more fruitfully. The First Office promotes pastoral institutes and sees to the building up of libraries for the clergy.28 Everywhere, at set times, it organizes courses for priests, especially the newly ordained, so that they can perfect and broaden their pastoral knowledge and techniques, exchange their apostolic experiences, and coordinate their pastoral activity.20

§ 2. Also for deacons will it insist upon all these matters adapted, to be sure, to their special functions.

68. Through the same Office, it is also up to the Congregation:

§ 1. To attend to all matters which concern the work and discipline of the diocesan clergy, cathedral and collegial chapters, pastoral councils, pastors and parochial vicars, and all other priests engaged in pastoral ministry, religious in all matters not pertaining to the religious life,30 the celebration of and stipend for Mass, the conferral of offices and non-consistorial benefices, popular elections which may still exist for the conferral of these benefices or offices,31 the obligation of reciting the Divine Office, and the exercises of piety.

-'· Vat. Coun II; decree *Presbyterorum ordinis,* η. 15 (AAS 58 [1966], 1014).

2* Cf. *ibid.,* n. 19.

=8 Cf. *ibid.*

23 Cf. *ibid.*

■°Vat Coun. II; decree *Christus Dominus,* η. 35 (AAS 58 [1966], 690).

31 Ecclesiae sanctae, I, η. 18, § 1.

§ 2. To set up a special commission to draw up general principles to arrange a better distribution of priests.[32]

§ 3. To oversee the obligations common to clerics and lay people, keeping in proper contact, if necessary, with the Council for the Laity.

4. To see to it that a senate of priests is not lacking in any diocese and. after consultation with the Congregation for Bishops, to evaluate the circumstances which may recommend that it be confirmed by the Vicar Capitular or Apostolic Administrator when the episcopal see is vacant.[33][34]

§ 5. To resolve controversies about precedence among the clergy, without prejudice to the rights of the Prefecture of the Apostolic Palace and of the Congregation for Religious and Secular Institutes regarding precedence among religious: similarly. to resolve administratively other controversies arising among clergy or between clergy and laity, or between diocesan clergy and religious, without prejudice to n. 13 and the following.

69. The *Second Office:*

1° Labors particularly to foster whatever concerns the preaching of the word of God: promotes those forms of the apostolate adapted to the needs of the times and the conditions of men: [35] provides timely norms which must be observed in giving religious instruction to children, adolescents, young people and adults: indicates the rules to be observed in classroom catechetical instructions after consultation, however, with the Congregation for Catholic Education and, if the situation warrants it. with the Congregation for Religious and Secular Institutes: watches over all catechetical courses both in parishes and in schools: sees to it that there be no lack of instructions to be given both before and after marriage and adapted to various groups of the faithful: gives attention to the growth and management of diocesan offices in charge of catechetics. Moreover, this Office encourages pastoral solicitude for travelers and studies cpiestions connected with recreational travel (popularly called “tourism"), vacations, outdoor living and sports activities of the faithful. ὐ In all these

32 *Ibid.,* I. n. 1.

33 Cf. *ibid.,* I, n. 15, §§ 1 and 4.

34 Vat. Coun. 11; decree *Christus Dominus,* η. 17.

35 Cf. *ibid.,* n. 18.

matters it seeks the cooperation of episcopal conferences.

2° Reviews and approves catechetical directories as well as programs and outlines for preaching the word of God which were prepared by episcopal conferences for various age groups and classes of the faithful; promotes national catechetical congresses and approves or convokes such congresses on an international level.

3° Sees to the preparation of pastoral directories for special groups of the faithful but only after consultation with other Departments whose interests are involved and without prejudice to the right of other Departments which must provide special directories on matters relative to their own areas of competence.

70. The *Third Office* of the Congregation:

1° Watches over all that pertains to the preservation and administration of the temporal goods of the Church, without prejudice to the competence of other Congregations regarding the temporal goods which they are to supervise.

2° Has the responsibility, therefore, to regulate the administration of pious foundations, pious legacies, pious works, benefices, oratories, churches, sanctuaries, the Church's artistic patrimony, immovable property (unless there is question of property belonging to religious), treasuries, taxes, tributes, pensions deriving from benefices, all alienation and other such things; to care for what concerns the common diocesan or regional fund,[36] the suitable support of clerics and their pensions, including those which are transferable; to encourage insurance associations or institutes to provide for the needs of the clergy brought on by old age, sickness or other disability;[37]* to supervise diocesan institutes which collect offerings from the faithful"* as well as diocesan administrative offices, and to offer appropriate advice to the administrators; to arrange a settlement with those who have seized ecclesiastical property, even that belonging to religious; and to allow the faithful to acquire ecclesiastical goods which have been usurped in any way whatever.

36 *Ecclesiae sauciae,* I, n. 8.

37 Vat. Coun II; decree *Presbyterorum ordinis,* n. 21. *Ibid.,* nn 20–21 ; *Ecclesiae sanctae,* I, n. 8.

Chapter VII

The Sacred Congregation for Religious and Secular Institutes

71. The Sacred Congregation in Charge of the Affairs of Religious will change its name to the Sacred Congregation for Religious and Secular Institutes.

72. The Congregation for Religious and Secular Institutes, presided over by a Cardinal Prefect with the assistance of a Secretary, is divided into two sections: one for religious, the other for Secular Institutes, each under the immediate direction of its own Undersecretary.

73. § 1. Through the *First Section* the Congregation takes charge of affairs which pertain to religious institutes of the Latin rite and their members, but without prejudice to the competence of the Sacred Congregation for the Evangelization of Nations and of the Tribunals when judicial procedure is necessary.

§ 2. Therefore, to this Section pertain all matters which concern the establishment, government and suppression of institutes: the safeguarding and pursuit of their specific purpose, their rule and discipline, their property and privileges, the training of the religious, their life in accord with their special characteristics, constitutions, and dispensations from the common law. but without prejudice to the competence of the Congregation of the Discipline of the Sacraments in regard to the Eucharistic fast, and with due regard for the competence of the Congregation for Catholic Education with respect to the systematic or academic arrangement of their studies in the Church.

§3. It is also competent in the same way but without prejudice to the competence of the Sacred Congregation for the Evangelization of Nations, over those matters which pertain either to societies of common life, whose members live like religious, or to Third Orders as such.

§4. In the application of general laws and the dispensation from them, the Congregation for Religious and Secular Institutes will always take into consideration the mind and practice of other Departments in those matters which of their very nature pertain to them, according to the norm set down in n. 13.

§5. It is up to the same Congregation to encourage the adaptation, renewal and growth of religious life and to set up councils

or conferences of major superiors whose services it will strive to use in the best way possible.[30]

74. Through the *Second Section,* the Congregation, with appropriate adjustment, has the same faculties regarding Secular Institutes. Although these institutes are not religious as such, they make a genuine and complete profession before the world of the evangelical counsels. Such profession is recognized by the Church and confers a consecration.[41]

Chapter VIII

The Sacred Congregation for Catholic Education

75. The Congregation which has until now been called the Sacred Congregation of Seminaries and Universities takes the name: Sacred Congregation for Catholic Education.

76. § 1. This Congregation, over which a Cardinal Prefect presides with the assistance of a Secretary and an Undersecretary, has competence in those matters which pertain to the promotion of the training of the clergy and the systematic Catholic education of both the clergy and the laity, without prejudice to the competence of the Congregation for Religious and Secular Institutes in matters pertaining to the training of religious as such, and of the Congregation for the Evangelization of Nations.

§ 2. The Congregation is divided into three Offices.

77. Through the *First Office* the Congregation watches over:

1° All that pertains to the direction, discipline and temporal administration of seminaries, without prejudice to the competence of the Congregation for the Evangelization of Nations with which business must be carried on by mutual agreement and with due coordination.

2° Those things which bear on the promotion of the education of diocesan clergy and the systematic training of members of religious and secular institutes. In particular, it examines and approves the statutes of regional and interregional seminaries which have been drawn up by the Bishops concerned.“

78. Through the *Second Office* the Congregation moderates universities or faculties, atheneums, and any institutions or asso-

[39] Vat. Coun. II; decree *Perfectae caritatis,* n. 23 (AAS 58 [1966], 711).

[40] *Ibid.,* n. 11.

[41] Vat. Coun. II; decree *Optatam totius,* n. 7 (AAS 58 [1966], 719).

ciations for learning which duly bear the name Catholic, in-so-far as they in any way depend on the authority of the Church, not excluding those which are conducted by religious or by laity. It also fosters and approves institutions and associations that promote studies. It strives to bring it about that Catholic universities have institutes devoted to fostering original research in the sciences or the arts and also have at least a chair of sacred theology to give instruction adapted to lay students;[4] it provides norms for academies and libraries, excluding the Vatican library. It encourages cooperation and mutual assistance among the Catholic universities as well as national and international associations of these universities. It strives to establish at non-Catholic universities Catholic residences and university centers.[5]

79. Through the *Third Office* the Congregation cares for the erection of parochial and diocesan schools. It watches over all Catholic schools of whatever type or level below the level of universities and faculties and over all institutes of instruction or education dependent on the authority of the Church with the exception of schools concerned only with preparation of persons for the religious life, without prejudice, however, to the prescriptions of n. 77, 2°. Therefore, its competence extends to schools all over the world, unless there is question of places dependent on the Congregation for the Oriental Churches or the Congregation for the Evangelization of Nations.

80. Moreover, the Congregation examines general questions regarding education and studies; works in cooperation with episcopal conferences, civil authorities, and national and international bodies, with due coordination, however, with the Sacred Council for the Public Affairs of the Church. It coordinates the forces and means to vindicate the rights and freedom of schools and approves national and international congresses in which these questions are discussed.

Chapter IX

The Sacred Congregation for the Evangelization of Nations or for the Propagation of the Faith

81. The Congregation which up to the present has been called

[4] Vat. Coun. II; declaration *Gravissimum educationis*, n. 10 (AAS 58 [1966], 736).

[5] *Ibid.*

I

the Sacred Congregation for the Propagation of the Faith will hereafter be called the Sacred Congregation for the Evangelization of Nations or for the Propagation of the Faith.

82. The Congregation for the Evangelization of Nations or for the Propagation of the Faith, over which a Cardinal Prefect presides with the assistance of a Secretary and an Undersecretary, has competence in matters pertaining to all missions established to spread the kingdom of Christ everywhere. Consequently. it has competence to appoint and transfer the required ministers, and to establish and change ecclesiastical boundaries, and to propose those who shall govern the districts; to take steps to render the native clergy more efficient and gradually to turn over to them the more important functions and administration; to direct and coordinate all missionary activity everywhere in the world both with regard to the heralds of the gospel themselves and to the missionary cooperation of the faithful.

83. § 1. In addition to the Cardinals assigned to it by the Supreme Pontiff, the members of this Congregation include also the Presidents of the Secretariats for Christian Unity, for Xon-Christians, and for Non-Believers.

§ 2. However, when matters of greater importance and those having the nature of a general principle are to be treated, the following are to be present at the plenary sessions as members and, if the Supreme Pontiff so pleases, have a deliberative vote: missionary Bishops named by the Roman Pontiff; representatives of the heads of pontifical institutes and societies/4 and, to be sure, persons who can explain the needs of the so-called "junior" or "native" churches.

§3. With regard to the number of those mentioned in § 2 and other details, the apostolic letter *Ecclesiae sanctae,* issued *motu proprio* on 6 August, 1966, should be kept in mind, as well as the special instruction to be published by the Sacred Congregation.

B

84. In those places subject to it, this Congregation gives impetus to missionary endeavors and fosters missionary vocations and spirituality. It promotes zeal and prayer for the missions and gives authentic and adequate reports about them/5 Similarly

[4] Vat. Coun. II; decree *Ad gentes divinitus,* chap. V, n. 29 (AAS 58 f1966], 979).

it zealously strives to carry out the task of educating the young and training the clergy in seminaries. It cares for all that pertains to the holding of synods and councils, and meetings and conferences of Bishops. In accord with the prescriptions of law, it reviews their statutes and decrees. At set times it prescribes visitations whereby a better understanding of the needs of these regions and of the more important questions can be had.

85. It is also the task of the said Congregation to raise up and distribute missionaries according to the more pressing needs of the regions, to activate and coordinate resources, especially through the Pontifical Missionary Works, and to distribute them according to the needs of the areas.[46]

86. By reason of their specific and principal purpose the following are subject to this Congregation: religious institutes founded in the missions and principally working there: societies of ecclesiastics and women without vows. Seminaries which in virtue of their statutes were founded for the training of missionaries for the foreign missions are subject to it in matters pertaining to their rules, administration, and timely concessions required for the sacred ordination of their students, without prejudice, however, to the norms issued by the Congregation for Religious as well as those prescribed by the Congregation for Catholic Education on studies and systematic training.

87. This Congregation is obliged, however, to refer to the competent Congregations matters which concern faith or sacred rites, ecclesiastical studies or Catholic universities, or dispensations from sacramental, non-consummated marriage. Moreover, it transmits to the Sacred Roman Rota marriage cases and other business requiring judicial procedure.

88. With regard, however, to other religious of either the Latin or the Oriental rites, this Congregation has competence only in matters which affect them as missionaries either individually or collectively, without prejudice to the right of the Congregation for the Oriental Churches. Unless there is a special prescription from the Supreme Pontiff, matters which affect religious as such, either individually or collectively, are referred to the Congregation for Religious and Secular Institutes.

89. To foster missionary cooperation, the Congregation has the Supreme Council for the Direction of Pontifical Missionary

[46] *Ibid.*

Works on which depend the general Councils of the Missionary Union of the Clergy, the Society for the Propagation of the Faith, the Society of St. Peter the Apostle, and the Society of the Holy Childhood.

90. In addition to other learned men, the following make up the board of consultors: the Secretaries of the three Secretariats, the Moderators of Pontifical Institutes and Societies, and the representatives of regional mission societies and of international lay associations. This board gathers timely information on the local conditions of the various regions and the manner of thinking on the part of the various classes of people as well as on the methods to be used in evangelizing. It also proposes scientifically established conclusions for missionary' activity and cooperation.[47]

91. Under the direction of the Cardinal Prefect, the administrative office is responsible for the treasury of the Congregation and for the administration of its goods, and is obliged to render proper account to the Prefecture for Economic Affairs of the Holy See.

IV
SECRETARIATS

Chapter I
The Secretariat for Promoting Christian Unity

92. § 1. The Secretariat for Promoting Christian Unity, whose members are Cardinals and Bishops named by the Supreme Pontiff, is directed by a Cardinal President with the assistance of a Secretary and an Undersecretary. Clerical and lay consultors who are well versed in ecumenical affairs are to be selected from all over the world and. according to n. 5 of the *General Norms,* are to offer their advice.

§ 2. The Cardinal Prefects of the Sacred Congregations for the Oriental Churches and for the Evangelization of Nations are *ex officio* among the members of the Secretariat; the Secretaries of these same Congregations are always among the consultors.

§ 3. The Secretariat is divided into two Offices, each under the immediate direction of its own Delegate: one is for the West and the other for the East.

93. The Secretariat has the competence and task of promoting

[47] *Ibid.*

Christian unity. Consequently, after first referring the matter to the Supreme Pontiff, it handles relations with the brethren of other communities; treats of the correct interpretation and implementation of the principles of ecumenism; assembles or encourages and coordinates both national and international Catholic groups which promote Christian unity. It initiates dialogue on ecumenical questions and activities with Churches and ecclesial communities separated from the Apostolic See. It deputes Catholic observers for Christian gatherings, invites observers of the separated brethren to Catholic gatherings as often as this seems opportune, and puts into effect the conciliar decrees pertaining to ecumenism.

94. It also has competence in the religious aspects of matters pertaining to the Jews.

95. Mixed matters are harmoniously handled with other Departments which are interested.

Chapter II

The Secretariat for Non-Christians

96. The Secretariat for Non-Christians, under the direction of a Cardinal President with the assistance of a Secretary and an Undersecretary, with the approval of the Supreme Pontiff, has beneficial contacts with those who profess some religion or have a religious disposition, although they do not participate in the Christian religion.

97. In addition to the Cardinal Prefect of the Sacred Congregation for the Evangelization of Nations, the members of the Secretariat include those who are chosen by the Supreme Pontiff from the Sacred College of Cardinals or from among those proposed by the episcopal conferences of mission countries and of other areas where many non-Christians are for any reason living, even if only temporarily. A board of experts approved by the Supreme Pontiff provides advice.

98. Without prejudice to the competence of the Congregation for the Evangelization of Nations, the Secretariat in the pursuit of its goal not only promotes studies but also fosters with great charity relations with non-Christians designed to bring about an increase in mutual esteem.

99. It is also the task of the said Secretariat to seek ways and means to establish suitable dialogue with non-Christians.

It takes care, therefore, that Christians acquire a proper understanding and a just esteem of non-Christians and, conversely, that non-Christians may be able to acquire a like understanding and esteem for Christian teaching and life. It receives and carefully weighs the wishes of the Ordinaries; sees to the training of those who will engage in dialogue. It proposes new undertakings and examines and approves those which have been tested by' experience.

100. Attached to this Secretariat is an office for promoting relations with the Moslems.

Chapter III

The Secretariat for Non-Believers

101. The Secretariat for Non-Believers is presided over by a Cardinal President with the assistance of a Secretary and an Undersecretary. It is made up of Cardinals and Bishops named by the Supreme Pontiff. To these are added consultors from all over the world.

102. With the approval of the Supreme Pontiff, the Secretariat applies itself to the study of atheism in order to explore the various aspects more thoroughly and. insofar as possible, to establish dialogue with those non-believers who sincerely' wish to collaborate.

V
THE COUNCIL FOR THE LAITY AND THE PONTIFICAL COMMISSION OF SCHOLARS: "JUSTICE AND PEACE"

103. The norms which were published in the apostolic letter *Catholicam Christi Ecclesiam,* issued *motu proprio* on 6 January, ‡967/ remain in force.

VI
THE TRIBUNALS

Chapter I

The Supreme Tribunal of the Apostolic Signatura

104. The Supreme Tribunal of the Apostolic Signatura is composed of Cardinals named by the Supreme Pontiff, one of

4‡AAS 59 (1967), 25-28; reported above in this volume, p. 299.

whom is selected by him to discharge the office of Prefect with the assistance of a Secretary and an Undersecretary. It has two sections.

105. Through its *First Section* the Tribunal, acting in virtue of either ordinary or delegated power, takes cognizance of those things which are assigned to it in the Code of Canon Law.[49] It extends the competence of tribunals, even of those set up for matrimonial cases. Until other provisions are made, it extends the forum for visitors *{peregrini}* in the city of Rome to processes dealing with nullity of marriage but only in extraordinary' circumstances and for very serious reasons. In accord with the sacred canons, it supervises, as in duty bound, the correct administration of justice. It provides for the establishment of regional and interregional tribunals. It enjoys those rights conferred on it by concordats between the Holy See and various nations.

106. Through its *Second Section* the Apostolic Signatura resolves contentions which have arisen from the exercise of administrative ecclesiastical power and which are referred to it because of an interposed appeal or recourse against a decision of the competent Department whenever it is contended that the act itself violated some law. In these cases it passes judgment on the admissability of recourse or on the illegality of the impugned act.

107. Through this same Section, it also adjudicates conflicts of competence among the Departments of the Apostolic See: examines administrative matters referred to it by the Congregations of the Roman Curia; and decides questions entrusted to it by the Supreme Pontiff.

108. The Apostolic Signatura is governed by its own law.

Chapter II
The Sacred Roman Rota

109. Without prejudice to the prescriptions of the Code of Canon Law,[50] the competence of the Sacred Roman Rota over cases of nullity of marriage which have been duly referred to the Holy See, is extended also to cases involving a Catholic and a non-Catholic party, or two non-Catholic parties, whether one

40 Can. 1603, 1604, 1605.

5« Can. 1598, 1599; see also can. 1557, § 2.

or both of the baptized parties belong to a Latin or to an Oriental rite. Doctrinal questions touching on faith, however, are left to the Congregation for the Doctrine of the Faith in accord with norms 29 and 31 of this constitution.

110. The Sacred Roman Rota is governed by its own rules.

Chapter III

The Sacred Apostolic Penitentiary

111. The Cardinal Major Penitentiary is Prefect of the Sacred Apostolic Penitentiary. He is assisted by a Regent and other prelates who make up the council of the Major Penitentiary.[51]

112. The jurisdiction of this Tribunal comprises all things which concern the internal forum, including the non-sacramental forum. Wherefore this Tribunal grants favors, absolutions, dispensations, commutations, sanations, and condonations for the internal forum.

113. Furthermore, to the said Penitentiary alone are entrusted those matters which concern the granting and use of indulgences, without prejudice, however, to the right of the Congregation for the Doctrine of the Faith to pass judgment in matters touching on dogmatic teaching regarding indulgences.

VII
OFFICES

Chapter I

The Apostolic Chancery

114. The Apostolic Chancery, over which the Cardinal Chancellor of the Holy Roman Church presides with the assistance of a Regent, carries out the office of expediting decretal letters and apostolic constitutions as well as apostolic letters in the form of a Bull or Brief of greater importance as is prescribed by law. It also carries out whatever business has been entrusted to it by the Supreme Pontiff or by respective Departments of the Roman Curia.

115. Letters, whether in the form of Bulls or Briefs, are not to be expedited except upon command of the Supreme Pontiff

[51] Pius XI: Constitution *Quae divinitus Nobis,* of 25 March, 1935, nn. 2-3; AAS 27 (1935), 97.

or of a Department. In each case the terms of the mandate are to be observed.[52]

116. It is the duty of the Apostolic Chancery to guard with the utmost care the leaden seal and the fisherman's ring.

Chapter II

The Prefecture for Economic Affairs of the Holy See

117. The Prefecture for Economic Affairs of the Holy See which is directed by a commission of three Cardinals, one of whom functions as President with the assistance of a Prelate Secretary, coordinates and watches over all the administration of the possessions of the Holy See.

118. The Prefecture is to have an Accountant General and other accountants as need demands and receives advice from a board of consultors to be chosen by the Supreme Pontiff from truly skilled clerics and laymen.

119. The Prefecture has the following functions:

1° It receives a report on the patrimonial and financial condition of the Church, a statement of receipts and disbursements, and the budget submitted by the administrators of goods who are dependent upon the Holy See even though they have partial or even full freedom (i.e., autonomy). This includes pontifical commissions and administrations, both within and outside Rome, without prejudice, however, to the special arrangement for the Institute for the Works of Religion.

2° It carefully studies the report and budget mentioned above so that at the time set the Cardinal President can present for the approval of the Supreme Pontiff a general balance sheet of the receipts and expenses of the previous year as well as the budget for the coming year.

3° It coordinates and supervises all the Holy See's financial projects (i.e., investments, major transactions) so that each of them advances in an orderly fashion to the attainment of its purpose.

4° It examines work projects both in their preliminary stages and in their execution and, if necessary, supervises the work itself.

5° It imposes a one-percent tax to be handed over to the General Administration of the Patrimony of the Apostolic See as

[52] Can. 260.

a contribution to defray expenses.

6° It inspects the books and documents and examines anything that exceeds the ordinary operation. Through the Cardinal President it presents a written report on these matters to the Supreme Pontiff.

121. Moreover, the Prefecture investigates those who in the discharge of the office entrusted to them have in any way inflicted damage on the patrimony of the Holy See. Penal or civil actions, however, will be referred to the competent tribunal or, if none is competent, to a specially deputed commission, or, at the command of the Supreme Pontiff, to the Tribunal of the Sacred Roman Rota.

Chapter III
The Apostolic Camera

122. The Apostolic Camera, headed by the Cardinal Camerlengo of the Holy Roman Church or, if he is impeded, by the Vice-Camerlengo, has the task of caring for and administering the temporal goods and rights of the Holy See when the See is vacant.[53]

In the discharge of this duty, the special laws already[1] enacted or to be enacted are to be observed strictly.

Chapter IV
The Administration of the Patrimony OF THE Apostolic See

123. The Administration of the Patrimony of the Apostolic See, whose head is a Cardinal President assisted by a Council of Cardinals and a Secretary, has two sections: ordinarv and extraordinary.

124. § 1. The *Ordinary Section,* under the immediate direction of a Delegate, fulfills the administrative tasks entrusted to it.

§ 2. The *Extraordinary Section,* directed by another Delegate, performs the tasks entrusted to it by the Supreme Pontiff and is governed by its own special laws.

Chapter V
The Prefecture of the Apostolic Palace

125. The Prefecture of the Apostolic Palace, directed by a Prefect with the assistance of a Regent, is in charge of the Apos-

[1] Can. 262.

tolic Palace and at the service of the Supreme Pontiff either in the palace itself or wherever the Pope goes.

126. § 1. It is the function of this Prefecture to arrange audiences with the Supreme Pontiff and to prepare everything connected with sacred pontifical ceremonies aside from those of a strictly liturgical nature. Everything, however, which pertains to the spiritual care of those who live or work in Vatican City is reserved to the Vicar General of Vatican City. All the parties concerned are to work together harmoniously.

§ 2. Likewise, it is the task of the Prefecture to make all the necessary or appropriate arrangements whenever the Supreme Pontiff leaves the apostolic palace to go to the city of Rome and to give help and assistance to the Secretariat of State whenever the Supreme Pontiff prepares for apostolic journeys.

127. Furthermore, the Prefecture decides the precedence to be given to the Cardinals or the Legates which nations send to the Holy See.[54] Likewise, in conjunction with the Secretariat of State, it observes the requirements of protocol when heads of state or other high dignitaries are solemnly received by the Roman Pontiff.

128. The Prelate Prefect of the Apostolic Palace requires confirmation by a newly-elected Supreme Pontiff.

Chapter VI
General Statistics Office of the Church

129. The Accounting or Statistics Office of the Church has the function of gathering and organizing data which seems necessary or useful for a better understanding of the state of the Church and for the assistance of Bishops.

130. In order that data may be properly assembled, the Office sees to it that, in accord with up-to-date norms and a specified method and pattern, the parishes, dioceses, regions, religious institutes as well as the Departments of the Roman Curia properly draw up statistical tables or catalogs which are to be sent to it at stated times so that an organized summary can be made of everything which pertains to the life of the Church.

131. After correlating the data, the Office draws up general tables, explains them to those concerned, and points out causes

[54] Can. 254.

and the effects deriving therefrom. Thus the significance of what has been observed is presented in a most accurate way.

APPENDIX

I

132. The Reverend Fabric of St. Peter's will continue to care for matters pertaining to the Basilica of the Prince of the Apostles according to the constitution *Sapienti consilio* of 29 June, 1908, and in cooperation with the Chapter of the said Basilica.

133. The following retain the same status they had heretofore: the Apostolic Vatican Library, the Secret Vatican Archives, the Vatican Printing Press and Publications Office, the Office of the Master of Papal Almsgiving, the Commission for Social Communications Media, and the other permanent pontifical bodies as well as the Commission for the Implementation of the Second Vatican Council's Constitution on the Sacred Liturgy until it completes its work.

134. What pertains to the papal household will be regulated by its own norms.

The Secretary, however, of Briefs to Princes and the Secretary of Latin Letters will continue to perform their respective functions until other provision is made.

II

135. To this apostolic constitution will be added an *Ordo servandus* or common norms by which the practice and manner of conducting business in the Departments of the Holy See are determined. The general norm, however, mentioned in title I, chapter I, n. 12 remains in force.

III

136. In each and all of the enumerated Congregations, however, just as in the rest of the Departments, this above all is to be the solemn rule: nothing important and out of the ordinary is to be done unless it has first been made known to the Supreme Pontiff by the head of the Congregation or Department.

Furthermore, all decisions require pontifical approval with the exception of those for which special faculties have been given to the Department heads. Also excepted are the decisions handed down by the Tribunals of the Sacred Roman Rota and the Apostolic Signatura within the limits of their competence.

We decree that the present apostolic constitution always is and shall be firm, valid, and effective and that it obtains and acquires its full and complete effects as of 1 January, 1968, and that those to whom it pertains or will in any way pertain are to give it the fullest support in and through all circumstances, anything to the contrary notwithstanding, even if it be deserving of most special mention.

Given at Rome, at St. Peter's, on the 15th day of the month of August, the feast of the Assumption of the Blessed Virgin Mary, in the year 1967, the fifth of our pontificate.

AAS 59-885; Paul VI, Apost. Const., 15 Aug., 1967. Annotations in *Etudes,* 327 (1967)-540-547 (Rouquette).

Reroganization of Roman Curia: Effective Date Changed

(Sec. St., Rescript, 30 Dec., 1967) AAS 60-50.

By command of His Holiness, the following rescript was issued by Cardinal Cicognani:

Since well-known causes have prevented the common norms of established plan for the Roman Curia from being carried through and, therefore, from being put into effect on the date set down in the apostolic constitution, *Regimini Ecclesiae universae,*[1] η. 12, the Holy Father has decreed that the said apostolic constitution will begin to obtain its full and absolute effect as of 1 March, and not as of 1 January of next year.

Similarly, those matters which pertain to the reorganization of the papal household as indicated in n. 134 of the said constitution will definitely start on the same date.

From the Vatican, the 30th day of December, A.D. 1967.

AAS 60-50; See. St., Rescript, 30 Dec., 1967.

Roman Curia: Allocution of Paul VI in response to Christmas greetings from officials and members of the Roman Curia, 24 Dec., 1964 (AAS 57-169).

Allocution, 24 June, 1965. See c. 292; AAS 57-63S.

Synod of Bishops. See c. 329; AAS 57-775.

[1] Reported above immediately before this document.

CANON 247

Holy Office: Reformed and Renamed (Paul VI, *Molu proprio,* 7 Dec., 1965) AAS 57-952.

The dispositive part of this *Motu proprio* is as follows:

In order that this Sacred Congregation may more perfectly perform its appointed task, namely, to promote sound doctrine and the fulfilment by the Church of her principal apostolic works, in virtue of Our supreme apostolic authority We have decided to enact the following norms in order to change the name and the regulation of this Sacred Congregation.

1. This Congregation, which until ηολν has been called *the. Sacred Congregation of the Holy Office,* shall hereafter be called *the Congregation for Doctrine and Faith.* It will have for its task the defense of the doctrine of faith and morals in the entire Catholic world.

2. It will have as its President the Sovereign Pontiff and it will be directed by a Cardinal Secretary assisted by an Assessor, a Substitute, and a Promoter of Justice.

3. Its competence includes all questions which concern the doctrine of faith and morals or which are connected with the faith.

4. It examines new doctrines and opinions, whatever the manner in which they are diffused, and it brings out studies on the subject. It promotes scientific congresses. It condemns doctrines which are shown to be contrary to the principles of the faith, but only after having heard the opinions of the local Bishops if these have any concern in the matter.

5. It examines carefully the books that are referred to it, and if necessary condemns them, but only after having given the author a hearing and an opportunity to defend himself even in writing, and after having notified his Ordinary, as was already provided in the Constitution *Sollicita ac provida* of Our Predecessor of happy memory. Benedict XIV.

6. It has also as its province to examine questions of law and of fact concerning the privilege of the faith.

7. It is competent to pass judgment on delicts against the faith, according to ordinary procedure.

8. It is watchful to maintain the dignity of the sacrament of penance, following its own irreproachable and proven pro-

cedure; this procedure, however, must be communicated to the local Ordinaries, and the accused must have the opportunity to defend himself or to choose an advocate from among those who are approved by the Congregation.

9. It maintains appropriate relations with the Pontifical Biblical Commission.

10. The Congregation is assisted by consultors chosen by the Sovereign Pontiff from among those who, in the whole world, are outstanding for learning, prudence, and experience.

If the question under discussion requires it, experts can be added to the consultors. These should be chosen especially among professors of Universities.

11. The Congregation follows either administrative or judicial procedure according to the nature of the question to be considered.

12. The internal regulation of the Congregation will be made public in a special instruction.

We order that whatever We have decreed by this Our *motu proprio* Letter shall remain firm and valid, all things to the contrary notwithstanding.

Given at Rome, from Saint Peter's, the 7th of December, 1965, the third year of Our Pontificate.

AAS 57-952; Paul VI, *Motu proprio,* 7 Dec., 1965. *L'Osservatore Romano,* 6-7 Dec., 1965, p. 1; *Documentation Catholique,* 63 (1966)–82–84. Commentary, *Periodica,* 55 (1966)–614–652 (Navarrete); *Periodica,* 56 (1967)-116-3S (Bartolotti).

Change of Competency of S. C. for the Doctrine of the Faith in Marriage Cases (U. S. Apost. Del., 20 Jan., 1967) Private.

A letter-notice from the U. S. Apostolic Delegate:

Since the recent reorganization of the Sacred Congregation for the Doctrine of the Faith numerous cases about the nullity of marriages have been referred by it to the Tribunal of the Sacred Roman Rota. Tn these cases the bond is attacked because of the impediment *mixta religio* on the basis of Canon 72 of the Council in Trullo or for defect of form in marriages celebrated previous to the suppression of the last part of Canon 1099, §2?

1 Reported in Canon Law Digest, 3, p. 463.

As you know, such cases would ordinarily be introduced to the diocesan tribunals *for handling in first instance* but, because of inherent difficulties, were remitted to the Sacred Congregation of the Holy Office where they were treated with relative urgency.

The Congregation is no longer competent for these cases while, on the other hand, the Rota proceeds only in a judicial way.

Arrangements have been made for prompt consideration of cases already transmitted. However, for each of them it is necessary to form a Pontifical Commission in first instance as the Rota can judge only on appeal. You will understand that this is an extraordinary procedure.

In view of these developments, I am directed by the Holy See to ask Your Excellency and your tribunals of first instance to handle these processes *in loco* for a regular sentence and to refer *only on appeal* to the Sacred Rota or another tribunal of second instance.

(Private); U. S. Apost. Del., 20 Jan., 1967, Prot. No. 4656/66; copy kindly sent us by the Rev. Raymond Goedert, *Actuarius* of the Chicago Tribunal.

S. C. for the Doctrine of the Faith: Competency: revised norms. See c. 242; Paul VI, Ap. Const., 15 Aug., 1967, nn. 29-40.

CANON 248

Apostolate: For migrants, of the air, of the sea. See c. 242; Paul VI, Ap. Const., 15 Aug., 1967, n. 52.

Refugees: Allocution of Paul VI to the Congress of the "Association for the Study of the World Problem of Refugees," 3 Oct., 1963 (AAS 55-867).

Sacred Consistorial Congregation: Name changed and norms of competency revised. See c. 242; Paul VI, Ap. Const., 15 Aug., 1967, nn. 46-53.

CANON 249

S. C. of the Sacraments: Competency: revised norms. See c. 242; Paul VI, Ap. Const., 15 Aug., 1967, nn. 54-57.

CANON 250

S. C. of the Council: Name changed and norms of competency revised. See c. 242; Paul VI, Ap. Const., 15 Aug., 1967, nn. 65-70.

CANON 251

S. C. for Religious: Name changed and norms of competency revised. See c. 242; Paul VI, Ap. Const., 15 Aug., 1967, nn. 71-74.

CANON 252

Missionary Union of the Clergy: See c. 242; Paul VI, Ap. Const., 15 Aug., 1967, n. 89.

Missions: Pontifical Missionary Union of the Clergy. Ap. Letter, Paul VI, 5 Sept., 1966 (AAS 58-750).

Sacred Congregation for the Propagation of the Faith: Functions and organization after Vatican II. See c. 222; Paul VI, *Motu proprio,* 9 Aug., 1966, III, nn. 13-19.

AAS 58-757.

Name changed and norms of competency revised. See c. 242; Paul VI, Ap. Const., 15 Aug., 1967, nn. 81-91.

Secretariat: For promoting Christian unity, for non-Christians, for non-believers. See c. 242; Paul VI, Ap. Const., 15 Aug., 1967, nn. 92-102.

Society for the Propagation of the Faith. See c. 242; Paul VI, Ap. Const., 15 Aug., 1967, n. 89.

Society of St. Peter the Apostle. See c. 242; Paul VI, Ap. Const., 15 Aug., 1967, n. 89.

Society of the Holy Childhood. See c. 242; Paul VI, Ap. Const., 15 Aug., 1967, n. 89.

Work of Saint Peter the Apostle. See c. 1350, ref.

CANON 253

S. C. of Rites: Competency: revised norms. See c. 242; Paul VI, Ap. Const., 15 Aug., 1967, nn. 58-64.

CANON 254

S. C. of Ceremonies: Suppressed and function reassigned. See c. 242; Paul VI, Ap. Const., introduction and nn. 125-128.

CANON 255

S. C. for Extraordinary Ecclesiastical Affairs: Name changed and norms of competency revised. See c. 242; Paul VI, Ap. Const., 15 Aug., 1967, nn. 26-28.

CANON 256

Catholic University of America: Seventy-fifth anniversary. Paul VI, Letter of congratulation to Archbishop Patrick O'Boyle of Washington, 3 Oct., 1964 (AAS 56-978).

Georgetown University: Radio address of Paul VI, transmitted by "telstar," celebrating the 175th anniversary of the foundation of Georgetown University, 26 Sept., 1963 (AAS 55-881). *The Pope Speaks,* 9 (1963-64)-182.

Gregorian University: Allocution of Paul VI to the Faculty and students, 12 March, 1964 (AAS 56-363).

Heythrop College: Erected to Athenaeum of Ecclesiastical Studies open to all. S. C. Sem. et Univ., 25 Nov., 1964 (AAS 57-191).

Letter of Paul VI in English to Cardinal Heenan, Grand Chancellor, on the occasion of the inauguration of Heythrop as a Pontifical Athenaeum, 15 June, 1965 (AAS 57-630).

Institute of Spirituality: Canonically erected in the Pontifical Theological Faculty of Saint Teresa of Jesus and Saint John of the Cross, in Rome, Decree of the S. C. of Seminaries and Universities, 8 Sept., 1964 (AAS 56-951).

International Claretian College in Rome: The *Studium Theologicum* is aggregated to the Faculty of Sacred Theology of the Pontifical Lateran University. S. C. of Seminaries and Universities, 12 Aug., 1963. Published in *Commentarium pro Religiosis,* 43 (1964)-148. By way of annotation, a historical study and some excerpts from the *Statuta* are given in the same issue, pp. 149-150.

Mariology: Special two-year course leading to Doctorate in Theology. Pius XII in 1960 granted to the Servîtes a Theological Faculty in Rome, reserved to their own members. The S. C. of Seminaries and Universities, by decree of 7 March, 1960, established in that Faculty an "Institute of Mariology," with power to grant diplomas under prescribed conditions. After five years of successful trial, the Faculty now asks for the right to give a doctorate in sacred theology to all Licentiates who follow the specialized two-year course and fulfill the prescribed conditions. The petition is granted, the conditions being carefully specified. S. C. Sem. et Univ., 7 March, 1965 (AAS 57-414).

Mexican College in Rome: Radio address of Paul VI to Mexican Catholics on the occasion of laying the corner-stone of the Mexican College in Rome, 12 Oct . 1963 (AAS 55-886).

Paderborn: Faculty of Sacred Theology erected in metropolitan seminary, 11 June, 1966 (AAS 58-1195).

Pontifical Roman Seminars·, fourth centenary; Paul VI, Letter to Cardinal Traglia, 25 Nov., 1965 (AAS 58-47).

Sacred Congregation of Seminaries and Universities: Name changed and norms of competency revised. See c. 242; Paul VI, Ap. Const., 15 Aug., 1967, nn. 75-80.

Studium Theologicum Antonianum in Rome, aggregated to the Pontifical Lateran University, with power to confer Baccalaureate and Licentiate in Sacred Theology. S. C. Sem. et Univ., 29 Sept., 1965 (AAS 58-171).

Studium Theologicum Sancti Augustini at Siegburg, Germany, aggregated to the Faculty of Theology of the Pontifical Atheneum of Saint Xn^elm in Rome, with power to confer Baccalaureate and Licentiate in Sacred Theology. S. C. Sem. ct Univ., 18 Oct., 1965 (AAS 58-250).

University of Sherbrooke: Erected to "Faculty of Sacred Theology in the Catholic University of Sherbrooke." S. C. Sem. et Univ., 30 Nov., 1964 (.AAS 57-192).

CANON 257

S. C. for the Oriental Church: Letter of Paul VI on 50th anniversary of its founding, 1 May, 1967 (AAS 59-489).

Name changed and norms of competency revised. See c. 242; Paul VI, Ap. Const., 15 Aug., 1967, nn. 41-45.

CANON 258

Sacred Penitentiary: Competency: revised norms. See c. 242; Paul VI, Ap. Const., 15 Aug., 1967, nn. 111-113.

CANON 259

Rota: Competency: revised norms. See c. 242; Paul VI, Ap. Const., 15 Aug., 1967, nn. 109-110.

Signatura: Competency: revised norms. See c. 242; Paul VI, Ap. Const., 15 Aug., 1967, nn. 104-108.

CANON 260

Apostolic Chancery: Functions: revised norms: See c. 242; Paul VI, Ap. Const., 15 Aug., 1967, nn. 114-116.

CANON 261

Apostolic Datary: Suppressed and its functions reassigned. See c. 242; Paul VI, Ap. Const., 15 Aug., 1967, introduction and nn. 68, §1; 114-115.

CANON 262

Apostolic Camera: Functions: revised norms. See c. 242; Paul VI, Ap. Const., 15 Aug., 1967, n. 122.

CANON 263

Secretary of State: Appointment of Cardinal Amicto G. Cicognani as Secretary of State to His Holiness Paul VI. Chirograph, of Paul VI, 21 June, 1963 (AAS 55-582).

Name of this office changed and its norms of competence revised. See c. 242; Paul VI, Ap. Const., 15 Aug., 1967, nn. 19-25.

CANON 264

Secretaries for Briefs to Princes and Latin Lettters: Not affected by reorganization of Roman Curia. See c. 242; Paul VI, Ap. Const., 15 Aug., 1967, n. 134.

CANON 267

Faculties of U. S. Apostolic Delegate for Religious (U. S. Apost. Del., 6 Jan., 1965) Private.

The U. S. Apostolic Delegate informs us that he has been granted the following faculties for religious in the United States:

1. to permit religious to alter their last will and testament;
2. to permit them to make a donation of their property by a voluntary deed of conveyance;
3. to dispense religious from temporary vows;
4. to authorize debts, alienations and, in general, to contract financial obligations up to $500,000.

(Private); U. S. Apost. Del., 6 Jan., 1965, Prot. No. 189/42; personal letter kindly sent to the Canon Law Digest for publication.

India: Ambassador to the Holy See from the Republic of India received by Paul VI: Allocution, 25 March, 1965 (AAS 57-386).

Korea: Apostolic Nunciature established. Paul VI, Ap. Letter, 11 Dec., 1963 (AAS 56-235).

CANON 271

Patriarchs in Oriental Church: Nature, rights, privileges, authority. See c. 1; Cone. Vat. II., 21 Nov., 1964, nn. 7-11.

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CANON 272

Washington: New Ecclesiastical Province to include Virgin Islands, separated from Puerto Rico and made suffragan of Washington. Paul VI, Ap. Const., 12 Oct., 1965 (AAS 58-424).

CANON 292

Episcopal Conferences: Revision of the Code: Reform of the Roman Curia (Paul VI, Allocution, 24 June, 1965) AAS 57-638.

In an allocution to the College of Cardinals, 24 June, 1965, Paul VI gave some general indications of the progress that is being made on three important projects: the statutes for Epis-

copal Conferences, the revision of the Code of Canon Law, and the reform of the Roman Curia. The passage in question is as follows:

We have under consideration the statutes for Conferences of Bishops, whose proper functioning will, We hope, lead to one form of that better collaboration of our brother Bishops which will strengthen more and more the interior unity of the Church. It will also do honor to the collegiality of the Bishops in communion with the Apostolic See and make the pastoral activity of the Church in ordinary circumstances more uniform and more effective. The Church will be fortified by the consciousness of one and the same faith, by the emulation of the many forms in which that faith expresses itself in various times and places, and by the more effective solidarity of Christian charity.

This delicate and complex question is connected with another and more general one, the revision of the Code of Canon Law. This has already been begun by the formation of the organizations that must accomplish it and by assembling the materials which must be subjected to profound study.

Another related question concerns the improvements and modifications which must be made in that delicate and traditional organism, experienced in the central government of the Church, which is called the Roman Curia. Improvement is always possible — and necessary. And that is what We are aiming at through a progressive reform, which need not always be thought of as something new and arbitrary.

AAS 57-638; Paul VI, Allocution, 24 June, 1965.

Episcopal Conferences: Meetings of Presidents (Paul VI, Allocution, 21 Oct., 1965) AAS 57-917.

On October 21, 1965, was held for the first time, in the Aula of the Congregation of the Council, a meeting of the Cardinals and Bishops (more than 100) who are Presidents of the Bishops' Conferences in their respective countries. His Holiness addressed the meeting as follows:

Venerable Brothers: We are happy to receive and to greet here the presidents of the episcopal conferences. In response to your invitation We have come to this meeting, which will be followed

by others of the same kind in which questions of every great importance will be considered. We desire to show by Our presence the importance which We attach to your reunion, and Our esteem for it.

The question presented to you today concerns the law of fast and abstinence. It is an occasion for Us to express in the first place Our thanks for the great amount of careful work which was done by the Sacred Congregation of the Council in preparing the text which is now submitted for your study. Our thanks are directed first to the Prefect and Secretary of the Congregation, Our beloved son Cardinal Ciriaci and Our venerable brother Father Pietro Palazzini, who have spared no pains to have this question studied thoroughly from every angle.

Now We are asking you to examine this text and to contribute to its improvement by your wisdom and experience. We are confident that you will accomplish this work with all the seriousness that the subject calls for, with perfect freedom, seeking only the glory of God and the good of souls, both of which are closely related to this particular aspect of ecclesiastical discipline.

We implore from the Holy Spirit for you and your work an abundance of heavenly graces, in pledge of which We most heartily give you Our apostolic Blessing in the Lord.

AAS 57-917; Paul VI, Allocution, 21 Oct., 1965.

Episcopal Conferences. See c. 222, *Motu proprio,* 6 Aug., 1966 I 41 42; AAS 58-757.

Italy: Revised statutes of the Episcopal Conference of Italy (C. E. I.) approved by the Holy See, 16 Sept., 1965, for five years as an experiment; reported in *La Scuola Cattolica,* 94 (1966)–149–152.

CANON 294

Dispensing Powers. See c. 329; AAS 58-467, III.

CANON 31S

Dispensing Powers. See c. 329; AAS 58-467, III.

CANON 323

Dispensing Powers. See c. 329; AAS 58-467, III.

CANON 328

Instruction For Supernumerary and Honorary Chamberlains (Sec. St.) Private.

The full title of this document is "Instructions for the Supernumerary Chamberlains and the Honorary Chamberlains in Purple Dress," the text of which is as follows.

1. The supernumerary Privy Chamberlain *(cubicularius intimus adlectus supra numerum)* and the Honorary Chamberlain in Purple Dress *(cubicularius honorarius)* form part of the Noble Family of His Holiness and enjoy the title of *Monsignor.*

2. There are three forms of dress which are proper and alike for both of the classes of ecclesiastical Chamberlains mentioned above.

3. The first consists: a) of the purple cassock without train, with cuffs five and three-quarters inches deep, buttonholes, buttons, and edging in purple silk; b) of the sash of purple silk four and one half inches wide with the two ends hanging down about nineteen and one half inches on the left side and ending in two tassels of the same color: c) of the mantellone placed over the cassock, with the lining displayed, seven and three-quarters inches wide, and edging of purple silk; d) of the collar of purple silk; e) of black socks and shoes with silver buckles: f) of the hat with black cord and tassels. Ablegates sent to bear the cardinalitial biretta have the privileges of the purple cord, tassels, and socks for the duration of their mission.

The material of the cassock and mantellone is wool: in the summer it may also be silk.

4. The second, called *Croccia,* is an ample outer garment of red wool with wide sleeves which reach to the forearms with facings of red silk, and over this is placed a cappa with capuch also of red wool, lined inside with red silk and outside with ermine in winter and with red silk in the summer. This garment Is put on over the dress described in the preceding article but without the mantellone.

5. The third form of dress is that commonly known as *Piano* and consists: a) of the black cassock without train, with buttonholes, buttons, and edging of purple silk; b) of the sash of purple silk four and one half inches wide, decorated at the ends, which hang down on the left side about nineteen and three-quarters

inches, with silk fringe of the same color; c) of the black ferraiola of wool or silk; d) of the collar of purple silk; e) of black socks and shoes with silver buckles; f) of the hat with black cord and tassels. With regard to Ablegates, see art. 3.

6. The first form of dress is worn in the service of the Pontifical Antechamber and also in sacred functions, with due regard however for liturgical prescriptions. The second form is worn in the Ceremonies of the Papal Court, in public Consistories, when one's turn comes in the exposition of the Blessed Sacrament in the Apostolic Palace, and for the office of apostolic Ablegate in the ceremony of imposition of the cardinalitial biretta. On all other occasions on which one must, as in the presence of His Holiness, or on which one should fittingly wear the distinctive garb of the proper rank, *Piano* dress is worn.

7. The supernumerary Privy Chamberlains and the Honorary Chamberlains remain subject to the jurisdiction of their own Ordinary. If they belong to a Chapter, they do not have, by reason of their title, any right to precedence or privilege; they may however in Choir and in every other capitular act or function wear the purple cassock with its corresponding sash, puttting on over it the distinctive dress proper to the Chapter, provided the constitutions or the choral dress of the same Chapter do not prohibit it.

8. In Papal Ceremonies and in public Consistories they take part in the procession, provided they are wearing the *Croccia.* and they walk after the Consistorial Advocates. In the Papal Ceremonies which take place in the Sistine Chapel in the Vatican. they sit on small benches in front of the throne of His Holiness, in the Vatican Basilica on the side steps of the Papal Altar.

9. It is the office of the supernumerary Privy Chamberlains and, in their turn, also the Honorary Chamberlains in purple dress to carry the two *flabelli,* when His Holiness is carried in the *Scdia gestatoria;* it belongs also to both groups to carry the twelve torches when the Supreme Pontiff gives Benediction with the Blessed Sacrament, and to support the poles of the canopy in processions in which His Holiness follows the Blessed Sacrament on foot.

10. The supernumerary Privy Chamberlains and the Honorary Chamberlains invited to furnish service in the Pontifical Antechamber are to stand, the first group in the privy Antechamber,

the second in the honorary Antechamber, or in the Throne room; and they are to help, together with the Chamberlains of Sword and Cape, in receiving and entertaining, each in his own Antechamber, the persons admitted to audience; also to carry messages. envelopes, etc., the Honorary Chamberlains to the threshold of the privy Antechamber, the Privy Chamberlains within the same, and vice versa; to be at the beck and call of the Master of the Chamber: and, in accord with him, to be at the service of the ecclesiastical Privy Chamberlain who is sharing in rendering service. In the presence of the Holy Father, as also while rendering service, it is not permitted to wear the zucchetto.

11. The Privy Chamberlains take precedence over the Honorary Chamberlains and these latter, like the former, take their precedence according to seniority of nomination.

12. In accompanying the Holy Father, when the service of the Antechamber is by two's, the two Honorary Chamberlains in purple dress follow immediately the two Honorary Chamberlains of Sword and Cape just as the Privy Chamberlains go immediately after the Privy Chamberlains of Sword and Cape. In other situations, the Privy Chamberlains and the Honorary ones in purple dress walk together, the first group taking the right side, and they follow the Privy and Honorary Chamberlains of Sword and Cape.

13. The Privy and Honorary Chamberlains, who have given service in the Antechamber during the year, will receive from the Master of the Chamber two silver medals on the recurrence of the feast of the Holy Apostles Peter and Paul.

14. The Privy and Honorary Chamberlains must, every year, in the month of September, inform the Secretariat of their place of residence, so that their names may be inscribed in the zln-*nuario Pontificio*.

15. In the event that a Privy or Honorary Chamberlain is, by the will of the Supreme Pontiff, struck from the list of the respective rank, he ceases *ipso jacto* to enjoy the title, privileges, etc., and is obliged, as soon as he has knowledge of the action taken with regard to his charge, to return immediately to the Secretariat of State the letter of nomination.

16. The Privy and Honorary Chamberlains cease to form part of the Pontifical Court and consequently lose title, privileges, and distinctive marks on the death of the Supreme Pontiff after

the entombment of the august remains. If they desire to be inscribed as members of the Court of the Successor, they must request it.

(Private); See. St., without date and without Prot. N.; reported, with permission of the Rev. John P. McCormick, S.S., from *American Ecclesiastical Review,* 156 (1967)–128–131.

CANON 329

Faculties and Privileges Granted to Local Ordinaries by *Pastorale Munus* (Paul VI, Apostolic Letter *Motu proprio,* 30 Nov., 1963) AAS 56-5.

The pastoral office to which Christ Jesus joined the very serious duties of teaching, sanctifying, binding and loosing, Bishops have at all times discharged with shining examples of outstanding charity, even though hemmed in by many impediments.

With the growth of the cares and labors of the Church through the course of centuries, the Apostolic See has always responded with an earnest and glad heart to Episcopal requests which pertain to pastoral care and has not only bestowed on the Heads of dioceses extraordinary authority and jurisdiction but has also enriched them with noteworthy faculties and privileges which would opportunely meet existing necessities.

And now when the second session of Vatican Council II is about to close, since We consider nothing dearer than the offering to the Conciliar Fathers of a testimonial of the very great esteem in which We hold all our Venerable Brothers in the Episcopacy, We believe that their desires should be gladly welcomed and granted them so that their episcopal dignity may be set in its proper light and so that at the same time their pastoral office may be discharged more efficiently and expeditiously. We also think that such action is fully consonant with Our office of universal pastor. But now as We gladly impart these powers to the Bishops, We also beg them, one and all, to be united most closely with Christ and Ourselves, His Vicar on earth, and inflamed with ardent charity, to strive by their assistance to render lighter that *care of all the churches* (cf. 2 Cor. 11:28) which burdens Our shoulders.

Since there is question here of exceptional faculties, We so grant them that they cannot be delegated by the Bishops to others than to the Coadjutor, the Auxiliaries, and the Vicar General, unless in the concession of the individual faculties another provision is expressly made.

Nevertheless, in accordance with the rule of existing law, those faculties which We declare belong by right to residential Bishops, belong also by right to Vicars and Prefects Apostolic, to permanently constituted Administrators Apostolic, to Abbots and Prelates *nullius,* all of whom in their own territory possess the same rights and faculties which belong to residential Bishops in their territory. Even though Vicars and Prefects Apostolic cannot appoint a Vicar General, still each of them can lawfully delegate to the Vicar General the faculties in question.

Wherefore, after full and mature consideration, as an expression of Our reverence and charity toward each of the Bishops of the Catholic Church, of Our own motion and with Our Apostolic authority, We decree and establish that from the eighth day of December of this year 1963, the Bishops immediately and lawfully enjoy the faculties and privileges which follow.

I. *FACULTIES which belong by right to a residential Bishop from the moment he takes canonical possession oj his diocese and which, however, with the exception oj his Coadjutor and Auxiliary Bishops and his Vicar General, he cannot delegate to others unless the contrary is expressly stated.*

1. To extend for a just cause but not for a period exceeding a month, the lawful use of rescripts or induits which were granted by the Apostolic See and have expired without petition for their renewal having been made in due time to the same Apostolic See. The obligation remains, however, to have recourse to the Apostolic See for the favor or for the receipt of an answer if petition for renewal has already been sent in.

2. To permit priests, because of scarcity of clergy and for a just cause, to celebrate Mass twice on weekdays and even three times on Sundays and Holy Days of obligation provided that genuine pastoral necessity so demands.

3. To permit priests who celebrate two or three Masses to Lake something by way of drink even though an interval of one hour does not intervene before the celebration of the next Mass.

4. To permit priests, for a just cause, to celebrate Mass at any hour of the day and to distribute Communion in the evening, with due observance of the other requirements of law.

5. To allow priests suffering from poor eyesight or afflicted with some other infirmity to celebrate daily the votive Mass of the Blessed Virgin or the Mass of the Dead with, if necessary, the assistance of another priest or of a deacon and with due observance of the instruction issued by the Sacred Congregation of Rites on 15 April, 1961?

6. To grant the same permission to priests who are totally blind provided, however, that they are always assisted by another priest or by a deacon.

7. To allow priests to celebrate Mass on an altar stone outside a sacred place provided the place is respectable and becoming and provided always that it is not a bedroom. The faculty can be granted in individual cases for a just cause but habitually only for a more serious cause.

8. To permit the celebration of Mass for a just cause at sea and on rivers provided due safeguards are used.

9. To permit priests who possess an induit for a portable altar, to use, for a just and serious cause and in place of an altar stone, a Greek *antimensium* or a linen cloth blessed by the Bishop. In the right corner of the cloth must be placed relics of martyrs which have been authenticated by the Bishop. Moreover, the other rubrical requirements, especially those concerning altar cloths and corporal, must be observed.

10. To permit infirm or elderly priests to celebrate Mass daily, even on the more solemn feasts, at home but not in a bedroom. The liturgical laws must be observed. Permission to sit can be granted if they are unable to stand.

11. To reduce, because of diminished revenue and for as long as the situation perdures, perpetual legacy Masses to the measure of the stipend legitimately in vogue in the diocese, provided there is no one who is bound and who can be practically compelled to increase the stipend.

12. Similarly, to reduce obligations or legacies of Masses binding on benefices or other ecclesiastical institutions if the returns from the benefice or institution prove insufficient for the adequate support of the beneficiary and for the discharge

1 Reported in Canon Law Digest, 5, pp. 427^129.

of the sacred ministries, if any are attached to the benefice, or for the suitable accomplishment of the purpose proper to the said ecclesiastical institution.

13. To grant to chaplains of any kind of hospital, infant asylum, and prison the faculty to administer the sacrament of confirmation, in the absence of the pastor, to those of the faithful who are in danger of death. To be observed are the norms set forth by the Sacred Congregation of the Sacraments in its decree, *Spiritus Sancti munera,*[2] of 14 September, 1946, for a priest administering the sacrament of confirmation.

14. To grant to confessors of outstanding knowledge and prudence the faculty to absolve in the act of sacramental confession any one whomsoever of the faithful from all censures, even though reserved, with the exception of: *a)* censures *ab homine; b)* censures most specially reserved to the Apostolic See; *c)* censures for the violation of the secret of the Holy Office; *d)* the excommunication for priests and all others who presume to contract marriage, even civilly, with them and are actually living together.[3]

15. To dispense for a just cause from defect of age for ordinands provided it does not exceed six complete months.

16. To dispense from the impediment to Orders which bars sons of non-Catholics for as long as the parents remain in their error.

17. To dispense those already ordained from every kind of irregularity either from delict or from defect so that they may celebrate Mass and receive and retain ecclesiastical benefices. This faculty requires that no scandal derive from its use and that the ministry of the altar be duly performed. Excepted from the faculty are those irregularities mentioned in can. 985. nn. 3 and 4. If there is question of the crime of heresy or schism, an abjuration in the hands of him who absolves must precede the dispensation.

18. To confer sacred Orders outside the cathedral church and outside the canonical times, and even on ferial days, if pastoral considerations so suggest.

19. To dispense, for a just and reasonable cause, from all

2 Reported in Canon Law Digest, 3, pp. 303-311.
3 See Canon Law Digest, 2, pp. 579-581.

matrimonial impediments of minor grade, even in cases of mixed marriages, provided, in the latter case, the prescriptions of canons 1061-1064 are observed.

20. To dispense, for an urgent, just, and serious cause, from the impediments of mixed religion and disparity of cult, even in the case of use of the Pauline Privilege, without prejudice to the prescriptions of canons 1061-1064.

21. To grant a radical sanation, provided consent perdures, for marriages invalid because of an impediment of minor grade or because of defect of form, even in the case of mixed marriages, provided, in the latter case, that the prescriptions of canon 1061 are observed.

22. To grant a radical sanation, provided consent perdures, for marriages invalid because of the impediment of disparity of cult and even if invalid also because of defect of form, provided that the prescriptions of canon 1061 are observed.

23. To permit, for a serious reason, that the interpellation of the unbaptized party be made before the baptism of the party being converted to the Faith. Also, for a serious reason, to dispense from the said interpellation before the baptism of the converted party, provided, in this latter case, that proof be had from at least a summary and extrajudicial process that the interpellation cannot be made or would be useless.

24. To reduce, for a just cause, the obligations whereby cathedral or collegiate chapters of Canons are obliged to the daily and due performance of the Divine Office in choir by allowing them to limit the choral obligation solely to specified days or only to a certain, definite part.

25. To permit, because of necessity, that some Canons be excused from choir and engage in the sacred ministry, teaching, or the apostolate without loss of right to receive the prebends although not with the right to the daily distributions or those referred to as *inter praesentes.*

26. To commute the Divine Office to the daily recitation of at least a third part of the rosary of the Blessed Virgin Mary or of other prayers because of poor eyesight or other reason and for the duration of the same cause.

27 To depute in particular cases or for a time the Vicar General or other priest holding a dignity to consecrate portable altars, chalices, and patens according to the form prescribed in

the *Pontificale* and with the use of the sacred oils blessed by the Bishop.

28. To permit minor clerics, lay religious as well as pious women to perform even the first washing of palls, corporals, and purificators.

29. To use the faculties and privileges, with due observance of their scope and tenor, which religious resident in the diocese enjoy for the welfare of the faithful.

30. To grant to priests the faculty whereby, observing the rites prescribed by the Church, they can erect the *Stations oj the Cross,* also out in the open, together with all the indulgences imparted to those who perform this pious exercise. This faculty, however, may not be exercised in a parish territory in which there is a residence of religious who by Apostolic grant possess the privilege of erecting the *Stations oj the Cross.*

31. To admit into the seminary illegitimate sons if they possess the qualifications for admission into the seminary and if they are not adulterously or sacrilegiously illegitimate.

32. To grant permission, for a legitimate reason, to alienate, pledge, mortgage, rent out, or perpetually lease[4] ecclesiastical property" and to authorize ecclesiastical moral persons to contract debts to the sum of money determined by the National or Regional Conference of Bishops and approved by the Apostolic See.

33. To appoint for as many'· as five terms the ordinary confessor of religious women if other provision cannot be made because of a dearth of priests suitable for this office or if the majority of the religious, including even those who in other matters have no right to vote, petition by secret voting for the reappointment of the same confessor. For those who dissent, it must, however, if they so desire, be otherwise provided.

34. To enter for a just reason within the papal enclosure of nuns' monasteries which are located in his diocese and to permit. for a just and serious reason, that others may be admitted

' Translator's note: *Emphyteusi redimi,* i.e., to enter a contract of emphyteusis. This type of contract is unknown in Anglo-American law. Its closest parallel in American law is a ninety-nine year lease. The redemption of the rental is almost equivalent to the exercise hy the lessee of an option of purchase which, upon payment of a lump sum, transfers to him the full legal title and relieves him of the obligation of further annual payments of rental. (Cf. Canon Law Digest, 1, pp. 732-733.)

within the enclosure and that the nuns may leave it. The permission is only for the amount of time truly necessary.

35. To dispense, at the request of the competent superior, from the impediment whereby those who have adhered to a non-Catholic sect are barred from admission into religious life.

36. To dispense, at the request of the competent superior, from the impediment of illegitimacy those who are to be admitted into religious life and are destined for the priesthood; also those who are barred from admission into religious life by a prescription of the constitutions. In both cases a dispensation cannot be given to those who are adulterously or sacrilegiously illegitimate.

37. To dispense in whole or in part, at the request of the competent superior, from the dowry which should be brought by postulants who are to be admitted into monasteries of nuns or into another religious institute, even one of pontifical law.

38. To permit religious to transfer from one religious institute of diocesan law to another institute of diocesan law.

39. To dismiss from the diocese for an urgent, very serious reason, individual religious if the major superior, after having been notified, fails to take proper measures. However, the matter must be immediately referred to the Apostolic See.

40. To grant permission, even through other prudent and qualified men *(viros),* for individual members of the faithful subject to him to read and retain prohibited books and papers, not excepting those which professedly propagate heresy or schism or those which attempt to undermine the foundations of religion. Precautions must be taken lest these writings fall into other hands. This permission, however, can be granted to those only who need to read prohibited books and papers to refute them, or to discharge one's function adequately, or to pursue a lawful course of studies.

II. *PRIVILEGES which, in addition to those enumerated in the Code oj Canon Law, belong to all Bishops, both residential and titular, from the receipt oj authentic notice oj their canonical appointment.*

1. To preach the word of God everywhere in the world unless a local Ordinary expressly disapproves.

2 lo hear contessions of the faithful, even of religious women.

everywhere in the world unless a local Ordinary expressly disapproves.

3. To absolve any one whomsoever of the faithful anywhere from all reserved sins with the exception, however, of the sin of false denunciation whereby an innocent priest is accused of the crime of solicitation before ecclesiastical judges.

4. To absolve any one whomsoever of the faithful anywhere, but in the act of sacramental confession, from all censures, even though reserved, with the exception of: *a)* censures *ab homine; b)* censures most specially reserved to the Apostolic See; *c)* censures for the violation of the secret of the Holy Office; *d)* the excommunication for priests and all others who presume to contract marriage, even civilly, with them and are actually living together.[5]

Residential Bishops can use this faculty even in the external forum for their own subjects.

5. To reserve the Blessed Sacrament in their own domestic chapel provided that the prescriptions of liturgical law are duly observed.

6. To celebrate Mass for a just reason at any hour of the day and to distribute Communion also in the evening, with due observance of the other requirements of law.

7. To bless anywhere with one sign of the cross and to annex all the indulgences customarily granted by the Holy See to rosaries, chaplets, crosses, medals, and scapulars approved by the Apostolic See and to impose the scapulars without the obligation of registration of names.

S. To erect in churches, chapels, even private, and other pious places and with only one blessing, the *Stations of the Cross* together with all the indulgences imparted to those who perform this pious exercise.

These faculties and these privileges We very gladly grant to Our Brothers in the Episcopacy with that mind and will mentioned above, namely, that all these should be used for the glory and welfare of the Church of Christ to whom We dedicate Ourselves and Our all.

All things to the contrary notwithstanding, even those worthy of special mention.

[5] See Canon Law Digest, 2, pp. 579-581.

Given at Rome, at St. Peter's, on the 30th day of November, in the year 1963, the first of Our Pontificate.

AAS 56-5; Paul VI, Apostolic Letter *Motu proprio,* 30 Nov., 1963. The above translation is from the text in *AAS* which differs in a number of places, most especially in Faculties 11-14 and Privileges 4 and 8, from the Italian version published in *L'Osservatore Romano, for* 4 Dec., 1963, no. 280, p. 7, and from the English version distributed to the Bishops as they left the second session of Vatican Council II, a copy of which was kindly sent us by the Rt. Rev. Msgr. Cornelius Sweeney, Chancellor of the Archdiocese of Indianapolis.

Annotations in *Commentarium pro Religiosis,* 43 (1964)—19-66 (Ting Pong Lee); *Ephemerides Liturgicae,* 78 (1964)—158—164 (Braga); *Irish Eccles. Record,* 101 (1964)-262-267, 339-344, 413-418; 102 (1964)-404-407 (Cunningham), *Jurist,* 24 (1964)-423-440 (Bottoms); *Nouvelle Revue Thiol.,* 86 (1964)-292-298 (Bergh); *Periodica,* 53 (1964)-294-322 (Buijs); *Revista Espaiiola de Derecho Canonico,* 19 (1964)—! 17-149 (Barberena); *Revue de Droit Canonique,* 44 (1964)-207-216 (Bernhard); *Irish Eccles. Record,* 104 (1965)—110—114 (De Reeper); *Facultates et Privilegia Episcoporum* (Buijs — Rome: Pont. Univ. Gregoriana, 1964); *Novissimae Ordinariorum Locorum Facultates* (Belluco — Rome: Pont. Athenaeum Antonianum, 1964); *Periodica,* 54 (1965)-301-306 (Navarrete).

Pastorale Munus: Faculties 7 and 8 Interpreted (U. S. Apost. Del., 21 May, 1964) Private.

On the receipt of your letter of May 18th I checked the text of the apostolic constitution, *Pastorale munus,* and it seems to me that the local Ordinary may permit the use of the *portable altar* in virtue of the following faculty: *Concedendi sacerdotibtis facultatem Missam celebrandi extra locum sacrum, sed loco honesto et decenti, numquam autem in cubiculo, super petra sacra per modum actus ex iusta causa, habitualiter autem solummodo ex causa graviore,* (n. 7)?

N. 8 refers to the offering of the Holy Sacrifice aboard a ship.

From this it appears that Your Excellency may provide the permission desired by Fr. N.N.

(Private); U. S. Apost. Del., 21 May, 1964, Prot. No. 203/63; copy sent us by the Rev. A. James Quinn, Assistant Chancellor of the Diocese of Cleveland.

Pastorale Munus: Faculty 20 Interpreted (Holy Office, 11 Dec., 1963) Private.

When you wrote me on November 26th, I immediately referred

[1] Reported above in this volume, p. 372.

to the Holy See for the dispensation necessary for the marriage of Erika, Catholic, and John, Mohammedan.

I now have the reply of December 11th in which the Supreme Sacred Congregation of the Holy Office adverts to the competence which the local Ordinary has enjoyed in this matter since December 8th. You will recall that this reference is to the apostolic letter, *Pastorale munus: "Dispensandi, urgente iusta et gravi causa, super impedimentis mixtae religionis et disparitatis cultus, etiam in casu usus Privilegii Paulini, salvis praescriptis cann. 1061-1063 C.I.C."* (N. 20).1

(Private); Holy Office, 11 Dec., 1963, Prot. No. 4709/63; reported in a letter of the U. S. Apost. Del., 19 Dec., 1963, Prot. No. 314/40-44, a copy of which was kindly sent us by the late Rev. Thomas J. Welsh, Vice-Chancellor of the Archdiocese of Philadelphia.

Pastorale Munus: Faculties 21 and 22 Interpreted (U. S. Apost. Del., 9 Jan., 1964) Private.

Inquiry. We wish to clarify for the practice of our chancery office the sanation faculties given to Ordinaries by Pope Paul VI in the *motu proprio, Pastorale munus.*

In compliance with quinquennial faculties (Canon Law Digest, 4, p. 74) Ordinaries have been granting sanations for certain mixed marriages contracted in disparity of cult, but only the Apostolic Delegate, to our understanding, has had faculties to sanate a marriage of *two Catholics* invalid because of non-observance of canonical form when one of the parties refused to renew consent before a priest and two witnesses.

Now, however, may §21 and §22 of *Pastorale munus* be interpreted to mean that Ordinaries may also sanate a marriage of two Catholics, one of whom refuses to renew consent before a priest and witnesses?

May the Ordinary sanate such a marriage of two Catholics invalid because of non-observance of canonical form when there is also an impediment of minor grade?

Our question arises from the use of the phrase "*etiam* si agatur de matrimoniis mixtis" which occurs in faculty § 21.

Reply. After study of your letter and the *motu proprio,*

1 Reported above in this volume, p. 374.

Pastorale munus, I believe that the questions you posed on the 4th inst. should be answered in the affirmative.

In virtue of these new faculties the Ordinary may 'sanate' a marriage of two Catholics that is invalid because of non-observance of the canonical form. The same is true when there is also an impediment of minor grade in addition to the defect in form.

(Private); U. S. Apost. Del., 9 Jan., 1964, Prot. No. 203/63; reported to us by the Rev. A. James Quinn, Assistant Chancellor of the Diocese of Cleveland.

Vice-Chancellors May Not Be Delegated the Faculties of *Pastorale Munus* (U. S. Apost. Del... 12 Mar., 1964) Private.

In your letter of March 5th you ask whether the faculties of the apostolic letter, *Pastorale munus,* may be delegated to Vice-Chancellors.

To this I reply that the text itself restricts delegation to Coadjutor and Auxiliary Bishop and the Vicar General. By an extension of this the Holy Father graciously allowed the Ordinaries of this country to delegate the faculties to the Chancellor.[1]

From this *modus procedendi* I believe the term *Chancellor* is to be understood in its proper sense so that it would not include a *Vice-Chancellor.*

(Private); U. S. Apost. Del, 12 Mar, 1964; reported by the 1964 Committee on Research of the Canon Law Society of America.

The Episcopate in the Dogmatic Constitution *De Ecclesia:* Importance of the Explanatory Note (Paul VI in the Second Vatican Council, 21 Nov., 1964) AAS 56-1007.

The Dogmatic Constitution *De Ecclesia,* approved and promulgated by Paul VI at the close of the third session of the Council, 21 November, 1964, is not reported in full in this *Digest;* the text is available from other sources. In this Dogmatic Constitution, Chapter III, *De Constitutione Hicrarchica Ecclesiae et in Specie de Episcopatu,* closely concerns canons 329 and 218 of the Code, which are primarily dogmatic. For the correct in-

1 Cf. letter of U. S. Apost Del., 3 Dec., 1964, reported below, p. 385.

terpretation of this Chapter III, and consequently of these canons, there are two conciliar documents of special importance. They are:

1. The Notifications officially given to the Council by the General Secretary "from higher Authority" on the 16th of November, 1964, including the so-called Explanatory Note.

2. The statement made by Paul VI in his Allocution at the close of the third session, 21 November, 1964, that he intended to approve and promulgate the Constitution strictly in accordance with the interpretations given in that Explanatory Note.

We produce these two key documents without comment.

1. *Notifications Given to the Council by the General Secretary, 16 November, 1964*

It has been asked what should be the *theological qualification* of the doctrine which is proposed in the *Schema de Ecclesia* and submitted to a vote.

The Doctrinal Commission has given a reply to this question in considering the Modes which refer to the third chapter of the *Schema de Ecclesia,* in these words:

"As is evident, the text of the Council is always to be interpreted according to the general rules which are known to all."

On this occasion the Doctrinal Commission referred to its *Declaration* of 6 March, 1964, which reads as follows:

"In accordance with conciliar practice and the pastoral purpose of the present Council, this Sacred Synod defines as matters of faith or morals to be held by the Church, only those things which it openly declares as such.

"Other matters which the Sacred Synod presents as the doctrine of the Supreme *Magisterium* of the Church, are to be received and accepted by all and each of the faithful according to the mind of the Sacred Synod itself, which is known from the nature of the subject and from the terms used, according to the norms of theological interpretation."

* * *

There is moreover communicated to the Fathers by higher Authority a previous explanatory note on the Modes concerning the third chapter of the *Schema de Ecclesia,* and it is according to the sense and declarations of this note that the doctrine pre-

sented in the said third chapter must be explained and understood.

Previous Explanatory Note

The Commission decided to preface the consideration of the Modes with the following general observations.

1. *Collegium* is not understood in a *strictly juridical* sense, that is, as a group of equals which entrusts its power to its president, but as a stable group whose structure and authority must be learned from Revelation. Hence in the reply to Mode 12 it is explicitly stated of the Twelve that the Lord established them "as a college or *stable group.*" Cf. also Mode 53, c. — For the same reason, in various passages the word *Ordo* or *Corpus* is used, referring to the College of Bishops. The parallelism between Peter and the other Apostles on the one hand and between the Supreme Pontiff and the Bishops on the other, does not imply the transmission of the extraordinary powers of the Apostles to their successors nor, as is evident, *equality* between the Head and the members of the College, but only a *proportionality* between the one relation (Peter-Apostles) and the other (Pope-Bishops). Hence the Commission decided to write in n. 22, not *eadem* but *pari ratione.* Cf. Mode 57.

2. One is made a *member of the College* in virtue of episcopal consecration and hierarchical communion with the Head of the College and its members. Cf. n. 22, § 1, at the end.

In *consecration* there is conferred *ontological* participation in *sacred* functions, as is proved beyond doubt from tradition, even from liturgical tradition. Designedly the word *munerum* and not *potestatum* is used, because the latter could be understood of power *ready for action.* But in order that such ready power be had, there must also be a *canonical* or *juridical determination* by a hierarchical authority. This determination of power can consist in the grant of a particular office or in the designation of subjects, and it is done according to *norms* approved by the supreme authority. This further norm is required *from the very nature of the case,* for there is question of functions which must be exercised by *a number of subjects* cooperating hierarchically according to the will of Christ. It is evident that this "communion" was verified *in the life* of the Church, according to

the conditions of various times, before it was as it were codified *in the law.*

Hence it is expressly stated that there is required a *hierarchical* communion with the Head of the Church and its members. *Communion* is a notion which is held in high esteem in the early Church (as it is even now especially in the East). It does not mean a vague sort of *affection,* but an *organic reality,* which demands a juridical form and at the same time is animated by charity. Hence the Commission, with almost unanimous consent, decided to write: "in *hierarchica* communione." Cf. Mode 40 and also what is said in n. 24 about *canonical mission.*

Documents of recent Supreme Pontiffs concerning the jurisdiction of Bishops must be interpreted as referring to this necessary determination of powers.

3. The College, which cannot exist without its Head, is said to be "*also the subject oj supreme and full power* in the universal Church." This must be admitted lest the fulness of the power of the Roman Pontiff be put in question. For the College is necessarily and always understood to include its Head, and the Head *retains in the College his complete junction of Vicar of Christ and Pastor of the universal Church.* In other words, the distinction is not between the Roman Pontiff and the Bishops taken collectively, but between the Roman Pontiff by himself and the Roman Pontiff together with the Bishops. Since the Roman Pontiff is the *Head* of the College, he alone can do certain acts which by no means belong to the Bishops, for example, to convoke and direct the College, to approve rules of procedure, etc. Cf. Mode 81. It depends on the decision of the Supreme Pontiff, to whom Christ committed the care of His entire flock, to determine, according to the needs of the Church in various times, the manner in which this charge is to be fulfilled, either personally or collegially. In arranging, promoting, and approving the exercise of collegial action, the Roman Pontiff proceeds according to his own discretion in view of the good of the Church.

4. The Supreme Pontiff, as Supreme Pastor of the Church, can exercise his power at all times at will, as his office itself requires. The College on the other hand, though it is always in existence, does not thereby always act in a *strictly* collegial manner, as

the Tradition of the Church proves. In other words, it is not always *"in actu pleno,"* in fact it acts in a strictly collegial manner only at intervals and never without *the consent of its Head.* This term, *"the consent of its Head,"* is used lest it be thought that the *dependence* is upon some *extraneous* person; the term "consent," on the contrary, suggests *communion* between the Head and the members and implies the necessity of an *act* which properly pertains to the Head. This is explicitly stated in n. 22, § 2 and is explained in that same paragraph at the end. The negative expression *"nonnisi"* covers every case: hence it is evident that the *norms* approved by the supreme Authority must always be observed. Cf. Mode 84.

It is clear throughout that there is question of the *conjunction* of the Bishops *with their Head,* never of the Bishops acting *independently* of the Pope. In this case, there being no action on the part of the Head, the Bishops cannot act collegially, as is clear from the very notion of a "College." This hierarchical communion of all the Bishops with the Supreme Pontiff is surely well established in Tradition.

N.B. Without hierarchical communion the sacramental-ontological function, which must be distinguished from the canonical-juridical aspect, *cannot* be exercised. However, the Commission decided not to go into questions of licitness and validity, but to leave these to the discussion of theologians, especially in regard to the power which is actually exercised among the separated Orientals, which is variously explained according to different opinions."

Pericles Felici
Secretary General

2. *Statement of Paul VI in his Allocution at the Third Session of the Council*

In the course of his Allocution at the close of the third session of the Council, on November 21, 1964, His Holiness Paul VI spoke as follows:

"It remains true that the most difficult and most memorable of these spiritual efforts revolved around the doctrine of the

episcopate. And on this point alone We should like to dwell briefly.

"We will say onty that We are satisfied that this doctrine has been enacted with sufficient breadth of study and discussion and with similar clarity of conclusion. It was a duty to do this as a completion of the First Vatican Ecumenical Council. It was the time to do it, because of the advance of theological studies in modern times; because of the spread of the Church throughout the world; because of the problems encountered by ecclesiastical government in the daily life of the Church, and because of the expectations of many Bishops who were anxiously awaiting a clarification of the Church's doctrine concerning them. That was also the way to handle the question. Thus We do not hesitate— bearing in mind the explanations furnished both on the interpretation to be given to the terms used and on the theological qualification which this Council intends to give to the doctrine discussed — We do not hesitate, with the help of God, to promulgate the present Constitution on the Nature of the Church.

"It would seem to Us that the best commentary is that through this promulgation nothing in traditional doctrine is really changed. What Christ wants, We also want. That which was remains. What the Church has taught for centuries, We likewise teach. The only difference is that what was simply lived previously is now declared expressly; what was uncertain has been clarified; what was meditated on, discussed, and in part disagreed with, now reaches a serene formulation."

(AAS 56-1007); Paul VI; Allocution in the third session of Vatican Council II, 21 Nov.. 1964.

Chancellors in I_J. S. May Be Delegated the Faculties of *Pastorale Munus* (U. S. Apost. Del., 3 Dec., 1964) Private.

A letter of the U. S. Apostolic Delegate informs us "of the grant by the Holy Father to the local Ordinaries of this country of the power to delegate to the Chancellors the faculties of the *Motu proprio, Pastorale munus.* This delegation is to be made in accord with the norms of the document itself."

(Private); U. S. Apost. Del., 3 Dec., 1964, Prot. No. 1S9/42, kindly-sent to the Canon Law Digest.

Pastorale Munus: Power to Delegate Faculties Extended (Seer. Stat., 24 Nov., 1964) Private.

A letter of Cardinal Cicognani, Secretary of State, to Cardinal Agagianian, Prefect of the S. C. for the Propagation of the Faith, is as follows:

In reply to n. 3521/64, of 23 June of this year, I have the honor to inform Your Eminence that the Holy Father, in order to satisfy the wishes expressed by some Ordinaries for an extension of the power to delegate the faculties mentioned in Section I of the *Motu proprio "Pastorale Munus"* of 30 Nov., 1963? has deigned to grant that the S. C. for the Propagation of the Faith, when a request is made to it expressly by a Bishop subject to it, may apply the following norms:

A) The faculties of *Pastorale Munus* are extended:

1) to Military Vicars;

2) to Apostolic Administrators;

3) to those who have *"in actu"* the responsibility of governing the diocese (when the see is impeded, etc.).

B) The Ordinary can delegate these faculties also:

1) to the Episcopal Delegate, if the Bishop has no Vicar General;

2) to the priest who, according to canon 366, § 3, takes the place of the Vicar General when he is absent or unavailable;

3) to Pro-Vicars General who are chosen to assist the Vicars General of large dioceses;

4) to Episcopal Chancellors in countries where they actually exercise the functions of the Vicar General, as for example in the United States and Canada;

5) to the priest who has the ordinary care of religious in the diocese, but only as regards the faculties which concern religious.

Tn granting this power to the Bishops, the Sacred Congregation shall not fail to recommend that the faculties be used with proper prudence and in cases of evident necessity.

(Private); Seer. Stat., 24 Nov., 1964. *Commentarium pro Religiosis,* 44 (1965)-208-209.

1 Reported above, p. 370.

Pastorale Munus: New Text, n. 23 (Paul VI, 28 Nov., 1964) AAS 57-187.

In order to remove all doubt as to the interpretation of n. 23 of the Apostolic Letter *"Pastorale munus,"* given *motu proprio* on November 30, 1963, concerning certain faculties and privileges granted to Bishops, the Supreme Pontiff Paul VI has deigned to approve that the following new formula of the said number be promulgated:

23. To permit that, when a grave reason exists, the interpellation of the infidel party be made before the baptism of the party who is converted to the faith; also, for grave cause, to dispense from the interpellations, *cither before or after the baptism* of the party who is converted; provided that in this case it be proved by at least a summary and extrajudicial process that the interpellations cannot be made or would be useless.

AAS 57-187; Paul VI, 28 Nov., 1964.

Pastorale Munus: Faculty 23 Interpreted (Holy Office, 2 July, 1965) Private.

In your letter of 2 June of this year, Your Excellency proposed the following doubt to the Holy Office: Can the Ordinary dispense from the required interpellations not only when they are impossible or useless as stated in *Motu proprio, Pastorale munus,* but also when they are harmful *(damnosae)?*

To the proposed doubt this Supreme S. C. has decided to reply: *In the affirmative,* sc., the Ordinary can dispense from the required interpellations also when they are harmful.

(Private); Holy Office, 2 July, 196S, Prot. No. 145O/6S; copy of original reply kindly sent us by the Rev. Cornelius J. Burns, Auditor of the San Francisco Tribunal.

Pastorale Munus: Faculty 34 Interpreted (U. S. Apost. Del., 26 April, 1965) Private.

Question: The Vicar General for Religious in the Diocese of Cleveland proposed the following questions in a letter to the U. S. Apostolic Delegate about a decree of exclaustration for a religious woman:

"You indicated in a paragraph of your letter that if Sister requires a decree of exclaustration, the Most Reverend Apostolic Administrator, Bishop Issenmann, will be able to provide this by virtue of N. 34 of the *Pastorale munus*. May I interpret this remark to mean that the faculties of *Pastorale munus* allow the Bishop to grant an exclaustration beyond the period allowed by canon 606, § 2 of the Code of Canon Law, i.e., beyond six months? May the faculty N. 34 be used for pontifical institutes and may the same faculty be used for cloistered communities? May they be permitted to leave for a period of one year or two years without permission from Rome?"

Reply. On 26 April, 1965, the Chargé d'Affaires of the U. S. Apostolic Delegation replied: "I believe that the Most Reverend Apostolic Administrator may now provide for the case in virtue of his faculties from the apostolic letter, *Pastorale munus*. From this you will also gather that I believe that all your questions may be answered affirmatively."

(Private); U. S. Apost. Del., 26 April, 1965; reported by the 1965 Committee on Research of the Canon Law Society of America.

Synod of Bishops (Paul VI, *Motu proprio,* 15 Sept., 1965) AAS 57-775.

The *Motu proprio, Apostolica sollicitudo:*

Observing attentively the signs of the times, We are making every' effort to adapt the orientations and methods of the apostolate to the growing needs of our time and the evolution of society. Hence Our apostolic solicitude calls upon Us to consolidate by ever closer ties Our union with the Bishops "whom the Holy Spirit has placed to rule the Church of God." (Acts, 20, 28). We are drawn to this not only by the respect, esteem, and gratitude which We have for all Our venerable brothers in the episcopate, but also by the very heavy burden of Our office of universal pastor which obliges Us to lead the people of God toward the eternal pastures. In these times of ours, so troubled and critical yet so open to the salutary call of grace, daily experience shows Us how useful for Our apostolic charge is this union with the Bishops. We wish to do everything in Our power to promote and develop this union, "in order to have around Us" — as We said on another occasion — "the comfort

of your presence, the support of your counsel, the weight of your authority." (Allocution at close of third session, 21 November, 1964; AAS 56-1007).

It was appropriate, therefore, especially during the Second Vatican Council, that We should be deeply aware of the importance and necessity for Us to call more and more upon the cooperation of the Bishops for the good of the universal Church. The ecumenical Council was in fact the cause of Our resolve to establish a consultative body of Bishops on a permanent basis, for in doing so We desired that after the Council the Christian people would continue to enjoy the abundant benefits which Our close union with the Bishops brought them during the Council itself.

Now that we are approaching the end of the Second ecumenical Council of the Vatican, We think the time has come to put into effect this plan long since resolved upon. We do it the more willingly for being clearly aware how favorable the Bishops of the Catholic world are to this proposal, as is shown by the numerous wishes which they expressed on the subject during the Council.

Accordingly, after mature deliberation, because of Our esteem and respect for all the Catholic Bishops, and that they may have a more manifest and effective share in Our solicitude for the universal Church, of Our own motion and in virtue of Our apostolic authority, We erect and establish in this city of Rome a permanent consultative body of Bishops for the universal Church subject directly and immediately to Our authority, and to be known as the Synod of Bishops *{Synodus Episcoporum).*

This Synod, which like all human institutions may be perfected in the course of time, is to be governed by the following general norms.

I. General Characteristics

The Synod of Bishops, that is, of the Bishops chosen in the various countries of the world to give effective aid to the supreme Pastor of the Church, shall be so constituted that it is: *a)* a central ecclesiastical organism: *b)* representing the entire Catholic episcopate; *c)* of a perpetual character; *d)* of such a structure that its function shall be exercised temporarily and occasionally.

II. General and Special Ends

From its very nature the Synod of Bishops has for its purpose to give information and counsel. It may also have deliberative power when this is given to it by the Sovereign Pontiff, to whom it shall pertain in such case to ratify the decision of the Synod.

1. The general purposes of the Synod of Bishops are: a) to maintain close union and collaboration between the Sovereign Pontiff and the Bishops of the entire world; *b)* to see that direct and true information be given on situations and questions relative to the internal life of the Church and to the action which the Church should take in the world of today; c) to facilitate the concordance of views, at least on essential points of doctrine and on the modalities of the life of the Church.

2. Its special and proximate purposes are: a) to establish an exchange of useful information; *b)* to give advice on the questions for which the Synod has been convened.

III. The Authority of the Roman Pontiff

The Synod of Bishops is directly and immediately subject to the authority of the Roman Pontiff, to whom it belongs:

1. To convoke the Synod whenever he judges it opportune to do so, indicating the place where it is to meet;

2. To ratify the election of the members mentioned in numbers V and VIII;

3. To determine the matter of the questions to be dealt with, if possible at least six months before the meeting of the Synod;

4. To see that the matter of the questions to be treated be sent to those who are to take part in the examination of these questions:

5. To establish the program of the questions to be discussed;

6. To preside over the Synod, in person or through others.

IV. Three Types of Meetings

The Synod of Bishops may be convoked as a general assembly, as an extraordinary assembly, or as a special assembly.

V. The General Assembly

When it meets as a general assembly, the Synod includes in the first place and of its very nature:

1. a) The Patriarchs, the major Archbishops and Metropolitans who do not form part of the Patriarchates of the Catholic Churches of the Oriental rite.

b) The Bishops elected by each of the national episcopal conferences as provided in η. VIII;

c) The Bishops elected by the episcopal conferences of several countries, constituted for countries that have no conference of their own, according to η. VIII;

d) And moreover ten religious representing clerical religious institutes and elected by the Roman Union of Superiors General.

2. Those Cardinals who are at the head of the various dicasteries of the Roman Curia also form part of the general assembly of the Synod of Bishops.

VI. The Extraordinary Assembly

When it meets as an extraordinary assembly, the Synod of Bishops comprises:

1. g) The Patriarchs, the major Archbishops and Metropolitans who do not form part of the Patriarchates of the Catholic Churches of the Oriental rite;

b) The presidents of the national episcopal conferences;

c) The presidents of the episcopal conferences of several nations constituted for nations that have no conference of their own:

d) Three religious representing clerical religious institutes and elected by the Roman Union of Superiors General.

2. Those Cardinals who are at the head of the various dicasteries of the Roman Curia also form part of the extraordinary assembly of the Synod of Bishops.

VII. The Special Assembly

When it meets as a special assembly, the Synod of Bishops comprises the Patriarchs, the major Archbishops and Metropolitans who do not form part of the Patriarchates of the Catholic Churches of the Oriental rite, the representatives of the episcopal conferences of one or several nations, and those of religious institutes as stated in numbers V and VIII. But all must belong to the regions for which the Synod has been convoked.

VIII. The Representatives of Episcopal Conferences

The Bishops who represent each of the national conferences

are elected in the following manner:

a) One for each national episcopal conference that has not more than 25 members;

b) Two for each episcopal conference that has not more than 50 members;

c) Three for each national episcopal conference that has not more than 100 members;

d) Four for each national episcopal conference that has more than 100 members.

The episcopal conferences that are common to several nations elect their representatives according to the same rules.

IX. Necessary Qualifications

For the election to the Synod of Bishops, of representatives of episcopal conferences of one or several nations and of religious, particular account should be taken not only of their knowledge and prudence in general but also of their theoretical and practical acquaintance with the question to be treated in the Synod.

X. Supplementary Members

The Sovereign Pontiff may, if he wishes, augment the number of members of the Synod of Bishops by adding to them some Bishops, some religious representatives of religious institutes, or some expert ecclesiastics, in a proportion not exceeding 15 percent of the total number indicated in numbers V and VIII.

XI. Cessation of Powers

When the session for which the Synod of Bishops was convoked is terminated, by that very fact both the assembly of persons composing the Synod and the functions and charges belonging to each member as such come to an end.

XII. Secretaries

The Synod of Bishops has one perpetual or general secretary, who is assisted by the desired number of collaborators. Besides, each session of the Synod of Bishops has its special secretary, who remains in charge until the end of the session.

Both the general secretary and the special secretaries are appointed by the Sovereign Pontiff.

Thus We have decided and decreed, all things to the contrary notwithstanding.

Given at Rome, from Saint Peter's the 15th of September, in the year 1965, the third of Our Pontificate.

AAS 57-775; Paul VI, *Motu proprio,* 15 Sept., 1965. Annotations, *Periodicals* (1966)-!15-132 (Bertrams).

Pastorale Munus: Faculty 20 Interpreted (Holy Office, 20 Nov., 1965) Private.

Background: The S. C. of the Sacraments issued a rescript for the dissolution of a *ratum non consummatum* marriage between Richard and Shirley. No dispensation was given for a possible validation of Richard's present civil union with a non-Catholic although the original request did contain a petition for a dispensation from mixed religion and disparity of cult *ad cautelam.* To the subsequent request for such a dispensation, the U. S. Apostolic Delegate replied: "Since the Sacred Congregation of the Sacraments has dissolved the marriage of Richard, a Catholic, and Shirley, he is now free to contract a new marriage with Sally, a Methodist. It therefore occurs to me that Your Excellency may wish to employ the powers granted by *Pastorale munus* or the Quinquennial Faculties rather than approach the Supreme Congregation of the Holy Office for a dispensation from the impediment of mixed religion and disparity of cult *ad cautelam.*"

Question: On 11 October, 1965 a letter was sent to the U. S. Apostolic Delegate asking for "guidance in regard to the extent of faculty no. 20 of *Pastorale munus.*

"Your recent letter of 30 September, 1965 (M-2135) assures us that even after the Holy See has granted the dissolution of a marriage that was *ratum non consummatum,* the local Ordinary may dispense the parties from mixed religion and disparity of cult in accord with *Pastorale munus* — no further recourse to Rome being necessary.

"In the past, the Holy Office has refused to delegate power to dispense from disparity of cult when the "Petrine" privilege of

the faith had been granted by the Holy See. However, there seems to be some ambiguity of terminology in the Curial replies, canon 1125 and canon 1127 often being referred to as the Pauline Privilege.

"Our question, therefore, is whether *'Etiam in casu usu Privilegii Paulin?* in faculty no. 20 is to be understood in a restricted sense or whether it applies also to 'privileges of the faith.' In other words, may the local Ordinary dispense a non-baptized person who wishes to marry a Catholic after the non-Catholic's partner has been granted a favor of the faith and has subsequently married another Catholic person?"

Reply: In your letter of 11 October of this year which you sent to the Holy Office through the Apostolic Delegation, Your Excellency asked whether the Ordinary can use the faculty of dispensing from the impediments of disparity of cult and mixed religion granted in the Apostolic Letter, *Pastorale munus,* in number 20, not only in cases of the Pauline Privilege but also when there is question of a marriage already dissolved in favor of the faith and when the plaintiff or pseudo-spouse is no longer disposed to embrace the faith. In this matter, I inform you that this Supreme S. C. has decided: "Recourse must be had to the Holy Office in each case."

(Private); Holy Office, 20 Nov., 1965; reported by the 1966 Committee on Research of the Canon Law Society of America.

Norms for the Dispensing Power of Bishops (Paul VI, *Motu proprio,* 15 June, 1966) AAS 58-467.

The doctrine on the office of Bishops, which We had the happy experience of solemnly promulgating in the Second Ecumenical Council of the Vatican, clearly teaches that particular Churches are governed with authority and sacred power by the Bishops to whom they are entrusted as representatives of Christ; and that the pastoral office, that is, the constant daily care of the flock, is fully given to them with a power that is ordinary and immediate, in virtue of which they *have the sacred right and the duty before the Lord to make laws for their subjects, to pass judgment on them, and to moderate everything pertaining to the ordering of worship and the apostolate.*[1] And this power — as the same

[1] Ci the Dogmatic Constitution on the Church. *Lumen Gentium,* n. 27.

Second Vatican Council teaches — on the one hand involves duties on the part of many persons working together by the will of Christ in the Mystical Body according to the order of the Sacred Hierarchy, and on the other hand is actuated when a canonical or juridical determination is received by authority of the hierarchy according to norms approved by the supreme authority of the Church.2

In the Decree beginning with the words *Christus Dominus* (on the Pastoral Office of Bishops) the Council declares these principles; for, while it states that *per se* the Bishops have all power in the dioceses entrusted to them *to the extent that their pastoral office requires,* it also reiterates Our immediate power over the particular Churches — a power which is peculiar as an innate right in the successor of Peter — to reserve to himself certain cases which concern the well-being of the entire flock of Christ.3

It was a source of great joy to Us to be able to declare openly the dignity of Bishops, to honor their office and acknowledge their power: these are so many ties of mutual regard uniting Us to Our venerable Brothers.

Moreover, in the light of these principles the Church appears more resplendent, built into solid corporate unity with a concordant structure, because the Bishops are the executors of the divine will in conjunction with the Supreme Pontiff, and receive from him strength and moderation to preserve and propound more effectively the sacred deposit of Christian doctrine.

Now, as the executory norms of the conciliar Decrees are soon to be published, after earnestly considering the above doctrine and especially the functions and rights of Bishops, We believe it Our duty to perfect the norms of the Decree *Christus Dominus* where they need to be more fully stated, and to explain them if they need interpretation, so that the results that are expected from them may be fully attained.

The Ecumenical Council . . . gives to diocesan Bishops the faculty among others: *to dispense in particular cases jrom the general laws oj the Church the faithful over whom they exercise authority according to law, whenever they judge that it would*

2Cf. Previous Explanatory Note, n. *2;* reported above, p. 382, Paul VI in Vatican Council. 21 Nov., 1064; AAS 56-1007.

3 Decree on the Pastoral Office of Bishops, reported above, p. 233, n. S.

be jor their spiritual good, unless a special reservation has been made by the Supreme &uthority

In accordance with this rule, therefore, so that there may be in the whole Latin Church one norm and method of action, We deem it appropriate to make a list of those general laws whose dispensation should be reserved to Us; that is, the laws whose dispensation the Apostolic See has never given or has given very rarely, because of their importance in human society.

Accordingly, after consulting the Offices of the Roman Curia, the Postconciliar Commissions, and the Secretariates, and having maturely considered their advice, We, on the basis of certain knowledge, by Our Supreme Apostolic authority, declare and decree for the entire Latin Church the following:

I. The laws which our most provident Mother the Church has established in the Code of Canon Law and in other documents issued afterward, and which she has not revoked, We declare unchanged and sacred, unless the Second Ecumenical Council of the Vatican has clearly abrogated them or modified or derogated from them in some respects.

II. The prescription of the Decree *Christus Dominus* (on the Pastoral Office of Bishops), n. 8, b, derogates only from canon 81 of the Code of Canon Law.

HI. The term, diocesan Bishops, is understood to mean not only resident Bishops but also other members of the hierarchy who are equivalent to them in law.5 This is required by the parity of the .ights which diocesan Bishops and the others enjoy, and by the common basis for these rights and the necessity of providing for the spiritual good of the faithful. Hence, this faculty to dispense belongs also to Vicars and Prefects Apostolic,® Apostolic Administrators permanently named,7 and Prelates and Abbots *nullius*.6

IV. According to canon 80 a dispensation means a *relaxation of the law in a special case.* But the faculty to dispense is exercised only as to laws which command or forbid, not as to constitutive laws.

The grant of a permission, a faculty, an induit, or an absolution, is not contained in the notion of a dispensation.

4 *Ibid.*, n. 8 b.

0 *Ibid.*, n. 21.

«Cf. can. 294 § 1.

7 Cf. can. 315 § 1.

8 Cf. can. 323 § 1.

Laws concerning procedure, since they are established for the defense of rights, and dispensation from them does not concern the spiritual good of the faithful, are not included in the faculty which is mentioned in the Decree *Christus Dominus,* η. 8, b.

V. In the term, general laws of the Church, are included merely disciplinary laws enacted by the supreme ecclesiastical authority and binding everywhere on earth upon those for whom they were made, according to canon 13 § 1; but not the divine laws, natural or positive from which the Supreme Pontiff alone — using his vicarious power — can dispense; which is the case in dispensation from sacramental nonconsummated marriage, from those marriages which concern the privilege of the faith, and from some others.

VI. A particular case concerns not only individual persons but also a number of physical persons constituting a community in the strict sense.

VII. The faithful upon whom the power of dispensing is exercised according to law are all those who are subject to the Bishop by reason of domicile0 or on some other ground.

VIII. As provided in canon 84 § 1, there is required for granting a dispensation a just and reasonable cause, taking into account the gravity of the law from which the dispensation is given. The spiritual good of the faithful is a legitifhate cause for a dispensation.10

IX. Without prejudice to the faculties specially granted to Legates of the Roman Pontiff and to Ordinaries, the following dispensations are expressly reserved to Us:

1. From the obligation of celibacy, that is, the prohibition of contracting marriage, which is binding on deacons and priests even if they have been lawfully reduced to the lay state or have returned to it.11

2. From the prohibition of exercising the priesthood in the case of married men who received that Order without a dispensation from the Apostolic See.

3. From the prohibition upon clerics who are in a sacred Order:

a) to practice medicine or surgery;

0 Cf. can. 94.

10 Cf. the Decree *Christus Dominus,* η. 8, b.

11 Cf. can. 213 § 2.

b) to assume public offices which involve the exercise of lay jurisdiction or administration;

c) to seek or assume the office of senator or legislative deputy in places where that is forbidden by pontifical prohibition;

d) to practice business or commerce, personally or through others, for their own advantage or that of other persons.

4. From general laws which affect religious as such, but not as regards their subjection to local Ordinaries according to the common law and especially according to the Conciliar Decree *Christus Dominus* (nn. 33-35), always without prejudice to religious discipline and the rights of their own Superior.

From other general laws, only when there is question of members of an exempt clerical institute.

5. From the obligation of denouncing a priest who is guilty of the crime of solicitation in confession, mentioned in canon 904.

6. From want of the required age in excess of one year for candidates for ordination.[12]

7. From the system of studies (ratione studiorum) of the course of rational philosophy and theology, both as regards the required duration and the principal disciplines.[13]

8. From all irregularities that have been brought into the judicial forum.

9. From irregularities and impediments as to *receiving* Orders:

a) from thé irregularity *ex dejectu* in the case of adulterine or sacrilegious offspring, bodily defects, epileptics, and the mentally deranged;

b) from the public irregularity *ex delicto* of those who have completely apostatized from the faith or have gone over to heresy or schism;

c) from the public irregularity *ex delicto* of those who have had the audacity to attempt marriage or to place the merely civil act of marriage while they themselves were either validly married or bound by sacred Orders or religious vows, even simple and temporary, or with a woman who was either bound by such vows or validly married.[14]

12 In weighing the causes for which they can dispense from want of age in candidates for ordination, Bishops must bear in mind the gravity of the provision of the Decree *Optatam Totius* (on Priestly Formation), n. 12.

13 Cf. Decree *Optatam Totius,* η. 12.

3« Can. 985, 3.

d) from the irregularity ex *delicto,* either public or occult, of those who have committed voluntary homicide or procured the abortion of a human fetus effectively, and all cooperators,[1]

e) from the impediment which forbids married men to receive the sacred order of the priesthood.

10. **J**J *regards the exercise oj an order already received,* from the irregularities mentioned in canon 985, 3°, in public cases only; and 4°, also in occult cases unless recourse to the Sacred Penitentiary is impossible, but without prejudice to the obligation of the person dispensed to have recourse to the Sacred Penitentiary as soon as possible.

11. From the impediment of nonage for contracting a valid marriage, if the want of age amounts to more than a year.

12. From the matrimonial impediment arising from the diaconate or the sacred Order of the priesthood, or from solemn religious profession.

13. From the impediment of crime mentioned in canon 1075, 2° and 3°.

14. From the impediment of consanguinity in the direct line, and in the collateral line up to the second degree touching the first.

15. From the impediment arising from affinity in the direct line.

16. From all matrimonial impediments if there is question of mixed marriages when the conditions required by the Instruction *Matrimonii Sacramentum* issued by the S. C. for the Doctrine of the Faith on 18 March, 1966[16] cannot be observed.

17. From the form prescribed by law for validly contracting marriage.

18. From the law requiring renewal of consent in a *sanatio in radice,* whenever:

a) there is need of a dispensation from an impediment reserved to the Apostolic See;

b) there is question of an impediment of natural or divine law, which has ceased;

c) there is question of mixed marriages, when the conditions prescribed in the above-mentioned Instruction of the Sacred Doctrinal Congregation, η. I, were not observed.

—[15] Can. 985, 4°.

[19] AAS 58-237, reported below, p. 592.

19. From a vindicative penalty of the common law, which was declared or inflicted by the Apostolic See itself.

20. From the time prescribed for the eucharistie fast.

The norms concerning the dispensing powers given to Bishops according to the Conciliar Decree *Christus Dominus* shall go into effect on the 15th day of August of this year.

All that We have decreed by this *motu proprio* Apostolic Letter, We ordain to be firm and valid, all things to the contrary notwithstanding.

Given at Rome, from Saint Peter's, the 15th day of June in the year 1966, the third of Our Pontificate.

AAS 58—467; Paul VI, *Motu proprio,* 15 June, 1966. Annotations: *Australasian Cath. Record,* 43 (1966)-295-312; 44 (1967)-45-52, 133-143 (Madden); *Clergy Monthly,* 30 (1966)-333-337 (Timmermans); *Jurist,* 27 (1967)-413-425 (LaDue); *Periodica,* 56 (1967)-88-115, 456-484, 597-939 (Buijs); *Sal Terror,* 55 (1967)-754-778 (Regatillo).

Synod of Bishops: Order of its Celebration (Sec. St., 8 Dec., 1966) AAS 59-91.

Tn order to put into effect the general norms which were established by the *motu proprio* letter of His Holiness Paul VI on 15 September, 1965,[1] constituting a Synod of Bishops for the Universal Church, the August Pontiff has deigned to approve and to order to be religiously observed, this present order for celebrating the Synod, which regulates everything that was contained in that apostolic letter.

Given at Rome on the Sth day of September, feast of the Immaculate Conception of the Blessed Virgin Mary, in the year 1966.

The above prefatory announcement over the signature of Cardinal Cicognani. Papal Secretary of State, introduces the following document which we translate in full from the official text.

[1] AAS 57-775, reported above, p. 388.

ORDER OF THE CELEBRATION OF THE SYNOD OF BISHOPS

PART ONE

THE SUPREME AUTHORITY AND THE PERSONS TAKING PART IN THE SYNOD OF BISHOPS

Chapter I. The Supreme Pontiff

Art. 1. *The Power of the Supreme Pontiff*

It pertains exclusively to the Supreme Pontiff:

1° To convoke the Synod of Bishops whenever he sees fit, and and to designate the place where the meetings are to be held;

2° To confirm the election of the Members;

3° To determine the matter of the questions to be discussed;

4° To decree that the matter of the subjects to be treated be sent to the persons who are to be present at the discussion of these questions;

5° To fix the order of the agenda;

6° To preside at the Synod in person or through others;

7° To deliberate on the opinions that are expressed.

Chapter IT. The Delegated Chairman

Art. 2. *The Appointment of the Delegated Chairman*

§ 1. The Delegated Chairman presides over the Synod of Bishops in the name and by the authority of the Supreme Pontiff.

§ 2. The Delegated Chairman is appointed by the Supreme Pontiff and his office ceases after the conclusion of the meeting for which he was appointed.

§3. If the Supreme Pontiff deputed more than one to preside at a meeting, they are to perform the office in succession, in the order determined by the Supreme Pontiff himself.

Art. 3. *The Functions of the Delegated Chairman*

1° To direct the work of the Synod according to the faculties given to him in the letter of delegation, following the order fixed for the agenda and observing the norms of procedure which are prescribed in this Order.

2° To assign to certain members, when it seems appropriate, some special functions in order to enable the meeting to do its work more effectively.

3° To sign the acts or records of the meeting. If there are

more than one Delegated Chairmen, all are to sign the acts at the close of the meeting.

Chapter III. The Meetings of the Synod

Art. 4. *The Various Meetings oj the Synod*

The Synod of Bishops comes together:

1° As a general assembly, if the subjects to be treated, considering their nature and importance, make it advisable to consult the doctrine, the prudence and the wishes of the Bishops of the whole Catholic world;

2° As a special assembly, if matters of high importance concern the welfare of the Church, especial^ in one or more particular regions.

Chapter IV. The Members or Participants

Art. 5. *The Persons Who Take Part in the Synod*

§1. The following persons attend a general assembly of the Svnod:

1° a) The Patriarchs, the Major Archbishops and Metropolitans outside the Patriarchates of the Catholic Churches of the Oriental rite;

b) The Bishops elected by each of the national episcopal conferences as provided in art. 6, § 1, 3°;

c) The Bishops elected by the episcopal conferences of several countries, that is, those that have no conference of their own, according to art. 6, § 1, 4°;

d) Ten religious men representing clerical religious institutes and elected by the Roman Union of Superiors General;

2° Those Cardinals who are at the head of the various Dicasteries of the Roman Curia.

§ 2. The following persons attend an extraordinary assembly.

1° a) The Patriarchs, Major Archbishops and Metropolitans outside the Patriarchates of the Catholic Churches of the Oriental rite;

b) The Presidents of the national Conferences of Bishops;

c) The Presidents of the episcopal conferences of several nations, constituted for nations that have no conference of their own;

d) Three religious men representing clerical religious institutes and elected by the Roman Union of Superiors General;

2° The Cardinals who are at the head of the Dicasteries of the Roman Curia.

§ 3. 1° A special assembly is attended by the Patriarchs, Major Archbishops and Metropolitans outside the Patriarchates of the Catholic Churches of the Oriental rite; also by the representatives of the episcopal conferences of one or several nations and by those of religious institutes as stated in this article § 1, in art. 6, § 1, 4°, and as to the number of religious, in art. 6, § 2, 4°. But all these must belong to the regions for which the Synod has been convoked.

2° The Cardinals who are at the head of the Dicasteries of the Roman Curia which have a relation to the matters to be treated also attend a special assembly.

§ 4. All the sessions are attended also by the members elected by the Supreme Pontiff in accordance with η. X of the Apostolic Letter *Apostolica sollicitudo* of 15 September, 1965.2

Art. 6. *The Members Who Are to Be Elected*

§ 1. 1° The Bishops deputed by the episcopal conferences of one or more nations are those who have been elected by secret ballot in a plenary session of their respective conferences.

2° These elections shall be conducted according to canon 101 of the Code of Canon Law. If more than one are to be elected, there should be a separate ballot for each election, so that no second one shall be elected until the preceding one has been elected.

3° The Bishops who represent each of the national conferences are elected in the following manner:

a) One for each national episcopal conference that has not more than 25 members;

b) Two for each national episcopal conference that has not more than 50 members;

c) Three for each national episcopal conference that has not more than 100 members;

d) Four for each episcopal conference that has more than 100 members.

4° The episcopal conferences that are common to several nations elect their representatives according to the same rules.

5° In electing Bishops particular attention should be paid

-AAS 57-775, reported above, p. 388.

not only to their knowledge and prudence in general but also to their theoretical and practical acquaintance with the matters to be treated in the Synod.

6° The Presidents of the episcopal conferences shall communicate the names of the persons elected, to the Secretary General through the Legate of the Supreme Pontiff in his country, and this is to be done at least two months before the opening of the meeting.

§ 2. 1° The election of the religious men mentioned in article 5 of this Order is to be done, making due allowances, according to § 1, 2° of this present article.

2° In the election of the religious, particular account should be taken not only of their learning and prudence in general but also of their theoretical and practical acquaintance with the matters to be treated in the Synod.

3° The President of the Roman Union of Superiors General shall communicate the names of the persons elected, to the Secretary General at least two months before the opening of the meeting of the Synod.

4° The religious members, not more than two, to represent religious institutes in a special synodal assembly, will be elected by the Roman Union of Superiors General from among learned men who are familiar both with the matter to be treated and with the regions for which the assembly is convoked, even though they be not from those regions.

Art. 7. *The Certificate oj Deputation to Be Presented*

At the beginning of every meeting of the Synod the elected members must present to the Supreme Pontiff through the Secretary General the authentic document of his deputation, signed by the President and Secretary of his own Conference, or in the case of religious by the President and Secretary of the Roman Union of Superiors General.

Chapter V. Study Commissions

Art. 8. *Establishment oj Study Commissions*

If a subject dealt with in the Synod needs further study, it pertains to the Delegated Chairman, with the consent of the Supreme Pontiff, to appoint special study commissions from among the members.

Chapter VI. A Commission of Complaints

Art. 9. *Appointment and Functions oj the Commission of Complaints*

At the beginning of every assembly the Supreme Pontiff appoints a commission of three members to examine complaints that may be macle and to refer them to him.

Chapter VII. The Permanent or General Secretary

Art. 10. *Appointment of the Secretary General*

The Permanent Secretary or Secretary General is appointed by the Supreme Pontiff and functions at his pleasure *(ad nutum).*

Art. 11. *Functions of the Secretary General*

§ 1. It belongs to the Secretary General to fulfill the orders or mandates of the Supreme Pontiff and to communicate to him everything that concerns the Synod of Bishops.

§ 2. The Secretary General takes part in the meetings of the Synod, directs the general Secretariat and signs its records.

§3. It also pertains to the Secretary General:

1° To send, upon orders from the Supreme Pontiff, the letter of convocation and the schedule of agenda for each meeting of the Synod of Bishops, as well as all documents, instructions and notices pertaining to the meeting.

2° To communicate to all interested parties the names of the members or participants that have been freely designated by the Supreme Pontiff according to the apostolic letter *Sollicitudo* of 15 September 1965;[3] and also to report the appointment by the Supreme Pontiff of the particular Secretary of each meeting.

3° To prepare the order of each meeting, submitting to the Supreme Pontiff the subjects to be treated and a list of the members, which require confirmation;

4° To send the minutes of every meeting to the Cardinal Prefects of the Dicasteries of the Roman Curia, to the Patriarchs, Major Archbishops and Metropolitans outside the Patriarchates of the Catholic Churches of the Oriental rite, to the Presidents of episcopal conferences and to the President of the Roman Union of Superiors General;

5° To carry out the orders that may be given him by the Synod;

6° To collect, arrange and preserve records and documents.

[3] AAS 57-775, reported above, p. 388.

Art 12. *Assistants to the Secretary General*

§ 1. Assistants to the Secretary General are appointed, with the approval of the Supreme Pontiff, by the Secretary General, and they are dependent on him.

§ 2. These Assistants are chosen from among well-qualified ecclesiastics of learning and prudence.

§ 3. If necesseary, experts in technical matters may be appointed by the Secretary General with the approval of the Supreme Pontiff.

Chapter VIII. The Special Secretary

Art. 13. *Appointment of the Special Secretary*

§ 1. A Special Secretary is appointed by the Supreme Pontiff for every meeting in which a subject is treated in which the appointee is especially competent.

§ 2. If various subjects are treated in the meeting, a Special Secretary is chosen for each subject.

§ 3. When the meeting is finished, the office of the Special Secretary comes to an end.

Art. 14. *The Functions of the Special Secretary*

The Special Secretary is at the service of the Delegated Chairman, the assembly itself and the Secretary General, to prepare documents and reports; to give explanations and notices to anyone who may ask for them; and to draw up the record.

PART TWO
GENERAL NORMS

Chapter I. Convocation of the Synod of Bishops

Art. 15. *The Manner of Convoking the Synod*

§ 1. The Synod of Bishops is convoked by the Supreme Pontiff at a time and in the manner which he deems proper.

§ 2. It is the part of the President to announce the date of the next meeting and the matter which is to be dealt with according to the predetermined order.

§ 3. Notice to individuals is given only when the President deems it necessary.

Chapter II. The Dress to Be Worn

Art. 16. *The Dress to Be Worn at the Meetings*

At the meetings, the members to whom it is proper shall wear

the *habitus pianus;* others shall wear their proper public dress.

Chapter III. Precedence

Art. 17. *The Order oj Precedence*

§ I. In the matter of precedence, the prescription of canon 106, 3° of the Code of Canon Law, and canon 37, 3s of the Oriental Code *de Personis* are to be observed.

§ 2. If a member happens to sit, or to speak, or do anything else out of his proper order, he acquires no right thereby, nor does he prejudice anyone.

Chapter IV. The Obligation of Secrecy

Art. 18. *The Obligation oj Secrecy*

All persons who lake part in the Synod are bound to secrecy as regards both the preparatory acts and the work of the meeting itself, especially in what concerns individual opinions and votes, and the decisions and conclusions of the meeting.

Chapter V. The Language to Be Used in the Synod

Art. 19. *The Language to Be Used in the Meetings and Records*

In the meetings of the Synod and in drawing up the record, the Latin language is to be used.

Chapter VI. Collecting and Arranging the Acts and Documents

Art. 20. *The Manner oj Collecting and Arranging the Acts and Documents*

§ 1. All records and documents are collected and arranged by the Secretary General.

§ 2. An index of the subjects which are to be dealt with in the Synod is sent six months, if possible, before the meeting begins, so that there will be time to convoke the episcopal conferences in order to ask their opinion.

Chapter VII. Asking the Opinion of the Episcopal Conferences

Art. 21. *The Manner oj Asking Their Opinion*

§ 1. The subjects which the Supreme Pontiff decided in the convocation of the Synod to have discussed, should be studied carefully in advance by each episcopal conference and each group of Bishops of the Oriental rite.

§ 2. Each of the groups of Bishops expresses its common opinion in the manner it deems fitting concerning the definition of the matters.

§ 3. An opinion is also expressed in the meeting by each of the members who have been deputed for the Synod.

Chapter VIII. Voting

Art. 22. *Taking the Vote*

After the members have expressed their opinion according to art. 21, § 3, a vote is taken if the Supreme Pontiff so decides.

Art. 23. *The Formula and Manner oj Taking the Vote*

§ 1. The vote in the Synod is expressed by the formula: *placet, non placet, placet iuxta modum,* if there is question of approving a *schema* either as a whole or by separate parts. But for approving amendments and modes, and for voting on other matters, the formula is *placet* or *non placet.*

§ 2. One who votes by the formula *placet iuxta modum* must present his observation *{modum}* clearly and succinctly in writing.

§ 3. The votes are expressed on proper ballots unless the Chairman prescribes some other method, such as rising or remaining seated, raising or not raising the hand.

Art. 24. **J** *Majority oj Votes*

§ 1. In order to constitute a majority of votes, if there is question of approving something, two-thirds of the votes cast are required: but if there is question of rejecting something, an absolute majority is sufficient.

§ 2. The rule of § 1 is observed, whether there is question of recommending a proposal to the Supreme Pontiff or of deciding the matter after his permission has been obtained.

§ 3. When a question of procedure arises, it is decided by an absolute majority of the votes cast.

Chapter IN. The Absence of Members

Art. 25. *The Obligation to Give Notice of Absence*

One who cannot be present at a meeting must report the reason for his absence to the Chairman through the Secretary General.

Chapter X. Dispensation from the Obligation of Residence

Art. 26. *Receiving the Fruits oj Benefices*

All persons who are obliged to attend the Synod or who are

legitimately employed in it in any capacity are exempt from the obligation of residence as long as the meeting lasts and they are present at or engaged in it; and they can receive all the income from their benefices and the daily distributions excepting only those that are called *inter praesentes.*

PART THREE
PROCEDURE

Chapter I. Sacred Rites

Art. 27 *The Opening and Closing oj the Meeting*

§ 1. The meeting of the Synod is opened with the celebration of Mass and the solemn singing of the hymn *Veni Creator Spiritus.*

§ 2. It closes with the celebration of Mass and the solemn singing of the *Tc Deum.*

Chapter II. The *Relatio* or Report

Art. 2S. *Preparing the Report*

§ 1. The report, which is designed to explain, illustrate and penetrate the question to be discussed in the Synod, is prepared by the Bishop to whom the Supreme Pontiff assigned this task when the respective meeting was convoked.

§ 2. The one who makes the report is to have the services of a Special Secretary.

Art. 29. *Communicating the Report*

The text of the report which will afterward be read in the Synod should, at least thirty days before the opening of the meeting, be in the hands of the Secretary General, who attends to making copies for the members.

Chapter III. The Taking Possession of His Office by the Delegated Chairman

Art. 30. *The Manner oj Taking Possession*

When the Synod first convenes, the Secretary General, if it seems appropriate, reads the pontifical document which states the appointment of the Delegated Chairman: whereupon he immediately takes possession of his office.

Chapter IV. The Procedure in Meetings of the Synod

Art. 31. *The Presentation and Illustration oj the Subject*

The Chairman announces the subject to be discussed and calls upon the *Relator,* who reads his prepared report, with the help of the Special Secretary if necessary.

Art. 32. *The Discussion oj the Subject*

§ 1. Using the index prepared by the Secretary General, the Chairman calls, in that order, upon the members who gave their names for this purpose the day before.

§ 2. The speakers make their remarks and hand them in writing to the Secretary General.

Art. 33. *The Replies*

§ 1. If any member, on hearing the remarks of the speakers, wishes to reply or to propose some objection, he can ask the Chairman for permission to do so.

§ 2. It belongs to the Chairman to grant this permission and to fix the day on which the reply is to be made.

§ 3. On the appointed day the Chairman, following the order of the index composed by the Secretary General, calls on the Fathers who asked permission to reply.

§ 4. If the Chairman has not specified the time allowed for the reply, the speakers should make their replies very brief.

§ 5. The speakers may reply in the name of a number of members, but if they do, they must state in whose name they are speaking.

§ 6. The replies are then to be given in writing to the Secretary General.

Art. 34. *The Study Commissions*

§ 1. If it results from the discussion that the subject needs deeper study, the Delegated Chairman, with the consent of the Supreme Pontiff and in the manner specified by him (cf. art. 8), can set up a special commission to do that work.

§ 2. Meanwhile the meeting goes on to discuss the next subject.

§3. 1° When the Study Commission presents its conclusions, the Chairman can permit that they be discussed very briefly. This discussion is conducted according to article 32.

Art. 35. *The Expression oj Opinion*

§ 1. When the discussion is finished each of the members ex-

presses his views in the opinion mentioned in art. 21 § 2/ by a vote in writing, which is then to be given to the Secretary General.

§ 2. If according to the will of the Supreme Pontiff a counting of the votes is to take place, it is done as provided in articles 22-24.

Chapter V. The Report on the Work of the Synod

Art. 36. *The Making oj the Report*

When everything is finished, the Secretary General, with the help of a Special Secretary, makes out a report describing the work that was done on the subject or subjects that were discussed and the conclusions that were reached by the members.

Art. 37. *The Presentation oj the Report to the Supreme Pontip*

The report mentioned in art. 36 is presented to the Supreme Pontiff by the Delegated Chairman and the Secretary General.

AAS 59-91 ; Sec. St., Order of the Synod of Bishops, 8 Dec., 1966.

De Episcoporum Muneribus: Interpreted (S. C. Doct. Fid., 1 Feb., 1967) Private.

The following notice was sent to all local Ordinaries of the United States by Archbishop John F. Dearden, D.D., President of the National Conference of Catholic Bishops.

Under date of 28 February, 1967, I have received from His Excellency, the Apostolic Delegate, a clarification on the procedure to be followed in the case of certain inter-ritual marriages. In the belief that this information will be useful, I herewith bring it to your attention.

An inquiry had been addressed to the Holy See relative to the effect that the *Motu proprio "De Episcoporum Muneribus"*[1]* had on the bishops' competence to deal with inter-rite marriages. Previously, a dispensation from the norm requiring an inter-rite Catholic marriage in the rite of the groom had been reserved.

4 Translator's Note: It seems that the correct reference here should be to art. 21, §3. The second paragraph of article 21 refers to the *common* opinion to be expressed by various conferences and groups of Bishops that have been previously consulted. Here, on the contrary, the reference is to opinions of individual members, as provided for in art. 21, §3.

l Reported above in this volume, p. 394.

This is the norm that is stated in canon 88, § 3 of the Oriental Code2 and in canon 1097, § 2 in the Latin Code. Since in virtue of the *motu proprio,* canon 1097, § 2 is not reserved, question was placed whether the local Ordinary might consequently dispense from this norm of the Latin Code.

In a reply dated 1 February, the Cardinal Pro-Prefect replied that Their Eminences of the Sacred Congregation for the Doctrine of the Faith decreed as follows in the plenary session of 18 January, 1967: "Ordinarium facultate de qua supra gaudere."

(Private); S. C. Doct. Fid., 1 Feb., 1967. Pot. N. 3662/66; reported in letter from Archbishop Dearden, S Mar., 1967, a copy of which was kindly sent us by the V. Rev. Msgr. Joseph L. Imcsch, Secretary to Archbishop Dearden.

Bishop: Nature and dignity of office. Allocution of Paul VI, 28 June, 1964 (not in AAS). English version in *The Pope Speaks,* 10 (1964-65)-65-69.

Bishops' Conferences. See c. 222, Decree on Pastoral Office of Bishops, n. 38, and c. 292; AAS 57-638.

Collegiality: Authority of Bishops in teaching and pastoral government for the universal Church. See c. 222, Decree on Pastoral Office of Bishops, nn. 3 and 4.

Episcopal Conferences: One single conference for all Bishops of the Region of Latium, including the suburbicarian sees. S. C. Consist., 25 July, 1967 (AAS 59-985).

Ex-Religious and Ex-Seminarian: Readmission of, into seminary not included in dispensing power of Bishop. See c. 1363; S. C. Sem. et Univ.

Sacred Congregation for Bishops: Establishment and competency. See c. 242; Paul VI, Ap. Const., 15 Aug., 1967, nn. 46-53.

Synod of Bishops: Allocution of Paul VI after concelebratcd Mass before opening of the Synod, 29 Sept., 1967 (AAS 59-963). English version in *Catholic Mind,* 65 (Dec., 1967)–45-49.

Allocution of Paul VI at first meeting, 30 Sept., 1967 (AAS 59-969). English version in *Catholic Mind,* 65 (Dec., 1967)-49-53.

Doctrinal report of the, on current dangerous opinions. English version in *Christ to the World,* 13 (1968)-69-76; *Furrow,* 19 (1Q68)-1O6-U2.

Liturgy: Questions and votes relative to Mass and Divine Office, 21-25 Oct., 1967; reported in *Ephemerides Liturgicae,* 81 (1967)–462–472.

CANON 330

Bishops: Appointment. See c. 222, *Motu proprio,* 6 Aug., 1966, I, 10; AAS 58-757.

Resignation. See c. 222, *Motu proprio,* 6 Aug., 1966, I, 11; AAS 58-757.

- On marriage; AAS 41 (1949)–89–119.

CANON 334

Emigrants: Pastoral letter by Irish Bishops, 1 Mar., 1967. reported in *Irish Eccles. Record,* 107 (1967) -32 7-333.

CANON 336

Dispensing Power of Bishops. See c. 329; AAS 58-467.

CANON 343

Pastoral Visitation of the Diocese of Rome: Allocution in the Lateran at the opening of the visitation. Paul VI, 9 Apr., 1967 (AAS 59-413).

Announcement of the visitation, Paul VI, Apostolic Constitution, 8 Feb., 1967 (AAS 59-124).

Faculties and directives for the visitation, given to Cardinal Traglia. Ap. Letter, Paul VI, 1 Apr., 1967 (AAS 59-047).

Letter to all the faithful of Rome on the purpose and spirit of the visitation. Paul VI, 5 March, 1967 (AAS 59-329).

CANON 349

On the Wearing of the Mozzetta at Sessions of the Ecumenical Council (S. C. Rit., 12 Sept., 1963) AAS 55-779.

A decree of the S. C. of Rites:

The Apostle Paul solemnly declares that the Holy Spirit has placed the Bishops to rule the Church of God.[1] This is done especially in an Ecumenical Council when all the Bishops, together with the Supreme Pontiff and under the guidance of the Divine Paraclete, decide the affairs of the universal Church.

Hence it seems entirely proper that even in sessions of the Council they should have the same honorific privileges which each of them has in his own diocese.

For this reason His Holiness by divine Providence Pope Paul VI graciously grants that all resident archbishops and bishops may wear the mozzetta over the mantelletta even in the presence of the Supreme Pontiff, but only in the sessions of the Council: and His Holiness graciously extends the same privilege to titular archbishops and bishops, but only in the

[1] *Acts,* 20:28.

sessions of the Council; and moreover, with the same restriction and limitation, to abbots and prelates *nullius* or Ordinaries who wear the mozzetta within the limits of their own jurisdiction and who have the right to cast a deliberative vote in the Council.

All things to the contrary notwithstanding.

Given at Rome, from the office of the Sacred Congregation of Rites, 12 September, 1963.

AAS 55-779; S. C. Rit., 12 Sept., 1963.

CANON 350

Auxiliary Bishops. See c. 222, *Motu flroprio,* 6 Aug., 1966, I, 13; AAS 58-757.

Coadjutor With Right of Succession: Should be named Vicar General. May receive broader faculties. See c. 222, Decree on Pastoral Office of Bishops, n. 26.

CANON 355

Auxiliary Bishop: Powers do not expire on vacancy of See. Charge of governing the diocese should be given to sole Auxiliary or to one of several. See c. 222, Decree on Pastoral Office of Bishops, n. 26.

CANON 363

Reorganization of Diocese of Rome (Paul VI, *Motu proprio,* 2 Feb., 1966) AAS 58-115.

The dispositive part of this *Motu proprio, Romanae Urbis,* is as follows:

Turning Our attention to the Acts of the First Roman Synod, articles 11 to 18,1 We decree:

I. The provisions of article 11 concerning the territory of the diocese of Rome, the ordinary power of the Cardinal Vicar and his Assistant, the jurisdiction of the Vicar General in Vatican City and of the Cardinal Archpriest of Saint Peter's in the Basilica and in the Chapter of Canons, are to remain in effect.

'These articles constitute Title IΓ, *De Curia Dioecesana, of* the preliminary' section, *Normae Praeviae, Prima Romana Synodus,* Vatican Press, 1960, pages 7-9.'

IL So also We decree that all the prescriptions of articles 12, 13, and 14 are to remain in force.

III. As for the provisions of article 15 § 2, We decree as follows, partly modifying and partly amplifying them:

1. The territory of the diocese of Rome, under the jurisdiction of the Cardinal Vicar, is to be divided into five parts: the first of these shall consist of the region inside the ancient walls, which commonly goes by the name of *the historic center;* the other parts shall consist of the territories which are separated respectively by the *Via Appia,* the *Via Tiburtina,* the *Via Cassia,* and the road popularly known as the *Via Magliana,* as they lead into the center of Rome.2

2. This division, however, is not to be taken strictly, but rather in a broad sense, so that a parish whose boundaries may perhaps extend into more than one of these described parts is to be considered as belonging to the part in which its parish church is situated.

3. The first of these parts is entrusted to the care of the Prelate who is the Vicar's Assistant; each of the other parts is given in charge to that one of the Auxiliary Bishops whom the Cardinal Vicar shall designate by decree.

4. Without prejudice to the ordinary jurisdiction of the Vicegerent and the delegated jurisdiction of each of the Auxiliary Bishops for the whole diocese of Rome (except Vatican City), each of these Prelates shall take care of the territory entrusted to him *principally,* or as they say *habitually.*

5. We delegate to the Auxiliary Bishops once for all and perpetual!}' the power to administer the sacraments and sacramentals in the whole territory of the diocese, to assist at and bless marriages, notwithstanding the prescription of canon 1096 § 1 of the Code of Canon Law, and finally to do all other things which the Cardinal Vicar may assign to them by decree, either permanently or *ad actum.*

2 Beginning therefore from the *Via Appia* which comes into Rome from the southeast, the enumeration proceeds counter-clockwise around the city, resulting in four sectors: one to the cast between the *Via Appia* coming from the southeast and the *Via Tiburtina* from the northeast; another to the north, between the *Via Tiburtina* and the *Via Cassia* coming in from the northwest; another to the west, between the *Via Cassia* and the *Via Magliana* coming in from the southwest; and finally one to the south between the *Via Afagliana* and the *Via Appia.*

Now that We have commanded and decreed all these things, We earnestly and repeatedly ask Christ Jesus, the Prince of Pastors (cf. 1 Pet. 5, 4) that he may graciously breathe His assent and approval upon these plans of Ours.

What W'e have decreed by this Our *motu proprio* Letter, We ordain to remain firm and valid, all things to the contrary notwithstanding.

Given at Rome, from Saint Peter's on the 2nd day of February, feast of the Purification of the Blessed Virgin Mary, in the year 1966, the third of Our Pontificate.

AAS 58-115; Paul VI, *Molu proprio,* 2 Feb., 1966.

Council of Priests, in every diocese. See c. 222, *Molu proprio,* 6 Aug., 1966, I, 15; AAS 58-757.

Pastoral Council, recommended. See c. 222, *Motu proprio,* 6 Aug., 1966, I, 16; AAS 58-757.

CANON 366

Coadjutor as Vicar General: May receive broader faculties. See c. 222, Decree on Pastoral Office of Bishops, n. 26.

Episcopal Vicars: One or more may be appointed. See c. 222, Decree on Pastoral Office of Bishops, n. 27.

See c. 222, *Motu proprio,* 6 Aug., 1966, I, 14; AAS 58-757.

CANON 372

Chancellors in U. S. May Be Delegated the faculties of *Pastorale Munus.* See c. 329; U. S. Apost. Del., 3 Dec., 1964.

Vice-Chancellors May Not Be Delegated the Faculties of *Pastorale Munus.* See c. 329; U. S. Apost. Del., 12 Mar., 1964.

CANON 375

Archives: Allocution of Paul VI to the Sixth Convention of Ecclesiastical Archivists, 6 Nov., 1964 (AAS 56-999).

CANON 391

Senate of Priests, distinct from the Cathedral Chapter, to assist the Bishop. See c. 222, Decree on the Ministry and Life of Priests, n. 7.

CANON 413

Faculty to Reduce Obligations. See c. 329; Paul VI, 30 Nov., 1963, n. 24.

CANON 421

Faculty to Permit Absence. See c. 329; Paul VI, 30 Nov., 1963, n. 25.

CANON 423

Senate of Priests, distinct from Diocesan Consultors, to assist the Bishop. See c. 222, Decree on the Ministry and Life of Priests, n. 7.

CANON 431

Auxiliary Bishop. Should normally be given charge of diocese in vacancy. See c. 222, Decree on Pastoral Office of Bishops, n. 26.

CANON 451

Faculties Granted by the Military Vicariate of Great Britain (Milit. Ord. Great Brit., 1957) Private.

Following is the list of faculties originally drawn up in 1957 but still presently granted to chaplains in the British military services — Royal Navy, Army, and Air Force — to be exercised within the limits of the British Military Ordinariate's jurisdiction.

1. To exercise the care of souls, always, however, with observance of all requirements of law, from the moment your appointment as military chaplain has been authentically made known to you. To be noted, however, once for all, is that these parochial faculties can be exercised only with regard to your own proper subjects.

Note: Subject to the jurisdiction of the Military Ordinariate are:

1) Priests, secular as well as regulars, who have been lawfully appointed to the office of military chaplain for the spiritual care of the forces of Great Britain.
2) All members of the faithful who are in the pay of Great

Britain in the Royal Navy, Army, or Air Force.

3) The families of all those mentioned in the preceding number— i.e., their wives, children, dependents, household servants — who accompany said military persons outside their homeland and now live with them.

4) All persons of either sex, whether members of a religious institute or lay persons, who regularly live in schools, youth centers, hospitals, and other similar institutions or places reserved to the military.

5) All persons of either sex dwelling in places or bases or quarters, wherever located, reserved solely for the military and their families.

— Decree of S. C. Consist., *Inexhausta caritate,* 21 Nov., 1953, n. 6 — A.A.S. 1954, 46-145.

2. To preach the word of God to all subjects of the Military Ordinariate.

3. To celebrate all divine offices and ecclesiastical functions in chapels destined for the military, whether such chapels be reserved for the exclusive use of Catholics or not, provided rubrics do not prescribe otherwise.

4. To administer all sacraments with the exception of Confirmation and Holy Orders.

5. To use the formula for infants when baptizing adults.

6. To use the shorter formula when renewing the consecration of portable altar stones (cf. canon 1200, § 2, n. 2).

7. To celebrate Mass without a server when one cannot be had.

S. To binate and even trinate on Sundays and other holy days of obligation and, in urgent necessity, to confect the Holy Eucharist for the common welfare, provided the rubrics and fast are observed.

9. To offer Mass in a respectable and decent place, even in the open and aboard ship, provided all danger of irreverence is removed and a just cause had. Moreover, whenever Mass is offered in the open, precautions must be taken to prevent particles of the Holy Eucharist from being blown away by the wind; to achieve this purpose, a tent inclosing the altar on three sides should be used.

10. To offer Mass twice on a weekday once a week provided

the spiritual good of the military calls for the celebration of Mass.

11. To celebrate evening Mass every day after one o'clock in the afternoon.

12. To substitute for a portable altar or altar stone a cloth made of linen or hemp and blessed by a Bishop in which there have been placed sacred relics authenticated by the said Bishop. Mass may be offered on this cloth, under pain of sin, only in those cases in which no church or chapel, public or private, exists or in which it would be very inconvenient to carry the stone on the trip or have it readily available. In other regards, the prescribed rubrics must be observed, especially those relative to the altar cloths and corporal.

13. To use only water for the purification of the chalice at Mass whenever wine cannot be had.

14. To reserve the Blessed Sacrament in chapels destined for the military, even aboard ship, in a suitable and decent place and under your special vigilance, provided that the altar on which the ciborium will be kept is becomingly constructed and sufficiently equipped with sacred furnishings; that the sacrifice of the Mass is celebrated thereon at least once a week; that the key to the tabernacle is carefully protected; that a lamp burns continuously before the Blessed Sacrament; and that the sacred species are frequently renewed according to the rubrics.

15. To permit subjects of the Military Ordinariate to fulfill the paschal precept at any time of the year.

16. To hear the sacramental confessions of all subjects of the Military Ordinariate no matter where they may be stationed (cf. above n. 1) but not those of other members of the faithful unless you possess faculties from and abide by the mandates of the Ordinary of the place in which the confessions are heard.

17. To absolve in the sacramental forum, while enjoining what must be enjoined by law:

o) from non-reserved censures.

b) from censures reserved to us by common or by particular law.

c) in truly occult cases, from penalties and censures *latae sententiae* established by common law and reserved simply to the Apostolic See.

18. To subdelegate, even with the faculties enumerated above

in η. 17, but only for particular instances, for the purpose of hearing the confessions of all subjects of the Military Ordinariate any priest not of the Military Ordinariate, provided he is approved by his own Ordinary for the hearing of confessions.

19. To absolve, in the external forum, from excommunication, all apostates from the Christian Faith and each and every heretic or schismatic, especially new converts, after the abjuration together with the profession of faith has been juridically made according to the prescribed form, i.e., before you as our delegate in this matter and two witnesses. A person thus absolved in the external forum can then be absolved from his sin without any special faculty by any confessor in the forum of conscience.

20. To assist at marriages of any subjects whatever entrusted to your care by the Military Vicar or his delegate.

Note: In what pertains to marriage of subjects of the Military Ordinariate, the prescription of canon 1097, § 2 of the Code of Canon Law is to be observed exactly, sc., "let it be taken as the rule that the marriage should be celebrated before the pastor of the bride-to-be, unless a just reason excuses therefrom," and to be carried out accurately are the acts which according to law must precede and follow the celebration of marriage *(Inexhausta caritate,* η. 9).

21. To retain the holy oils in your quarters and to obtain the new holy oils each year from the local Ordinary. The old oils are not to be used except in case of urgent necessity.

22. To bless, provided holy oil is not required, all sacred furnishings which according to liturgical law should be blessed before being put to their proper use.

23. To bless completely gratuitously and with one sign of the cross:

a) objects of piety and to apply to them the Apostolic indulgences; likewise, the so-called Brigittine rosaries;

b) Marian rosaries and to annex to them the Crozier indulgences;

c) crucifixes and to apply to them either the indulgences of the Stations of the Cross for those lawfully impeded from making the Stations of the Cross or the plenary indulgence to be gained by any one of the faithful at the moment of death.

24. To reduce or to commute the Divine Office to some other

prayers to be prescribed according to circumstances, when the Office cannot be recited because of some lawful impediment.

The present provisions are valid until revoked.

[Accompanying the above list of faculties is the following *Monitum* in English which is here reproduced *verbatim.*]

BISHOPRIC OF THE FORCES

MONITUM

1. With regard to paragraph 1 of the accompanying pagella, the attention of chaplains is drawn to the limitations imposed on the jurisdiction of the Ordinary to H. M. Forces by the Decree *Inexhausta caritate.* For instance, the families of Service personnel in Great Britain who reside off a Service establishment, or who do not reside in Service Married Quarters, or who do not live in Service Hirings, are NOT subject to the jurisdiction of the Bishop to H. M. Forces. Sub-paragraphs 1), 2), 3), 4) and 5) to paragraph 1 of the pagella refer.

2. With regard to paragraph 20 of the pagella, for the use of this Faculty it is to be understood that the proper subjects of any individual chaplain are those who have been committed to his care, and not all the subjects of the Ordinary to H. M. Forces indiscriminately.

3. The attention of chaplains is also drawn to the following points arising from the Instruction *Solemne semper* of the Sacred Consistorial Congregation, dated 23rd April, 1951

a) Chaplains are obliged to follow the Ordo Divini Officii Recitandi Sacrique Peragendi of the Universal Church *(Solemne semper,* no. VII).

b) As personal parish priests they are bound to fulfill the functions and duties incumbent on territorial parish priests, subject to any adaptations as are necessary and appropriate *(Solemne semper,* no. X).

c) The Ordinary directs that chaplains offer *ex caritate* a Missa pro Populo on the Holydays of Obligation of the Universal Church *(Solemne semper,* no. XI), i.e., on the feasts of the Circumcision, the Epiphany, St. Joseph, the Ascension, Corpus Christi, SS. Peter and Paul, the Assumption of the B.V.M., All

1 Reported in Canon Law Digest, 3, pp. 113-117.

Saints, the Immaculate Conception of the and the Nativity of our Blessed Lord.

d) Chaplains serving in the United Kingdom should attend the conferences which are held in accordance with Canon 131 in the deanery in which they are serving *(Solemne semper,* no. XVII). Chaplains serving overseas must follow the regulations laid down in this respect by the Vicar General of their own service.

(Private); Milit. Ord. Great Brit., 1957.

Germany: Revised statutes for the spiritual care of those in military service. Paul VI, 31 July, 1965; Latin and German texts reported in *Archiv jiir Katholisches Kirchenrecht,* 134 (1965)–4S6–499.

Military Ordinariates: For France: new office, "Chaplain Director General", S. C. Consist., 2S March, 1964 (AAS 56-767).

Military Vicariate: Dominican Republic, S. Consistorial Congregation, 8 May, 1962 (AAS 55-55).

Germany. Statutes governing the Military Vicariate of the Federated Republic of Germany. Paul VI. Apostolic Const., 31 July, 1965 (AAS 57-704). These Statutes supplant those established by Pius XI, 19 Sept., 1935 under the Concordat of 26 July, 1933.

Portugal, S. C. Consist., 29 May, 1966 (AAS 5S-519).

CANON 452

Parish: Entrusted to religious. See c. 222, *Motu proprio,* 6 Aug., 1966, I, 33; AAS 58-757.

Union *pleno iure* to Chapter. See c. 222, *Afotu proprio,* 6 Aug., 1966, I, 21; AAS 58-757.

CANON 454

Pastors Appointed For Specific Terms (S. C. Cone., 2 May 1967) Private.

Petition: The Bishop of St. Anne Diocese in the Province of Quebec requested permission to appoint pastors for a term of six years after which they could be reappointed.

Reply: In the audience granted to the undersigned secretary of the Sacred Congregation of the Council on 29 April, 1967, His Holiness deigned to accede to the proposed petition as a favor by way of an experiment for a six-year period, provided the other

requirements are observed. At the end of this experimental period, a report should be made to the Sacred Congregation of the Council.

Given at Rome, 2 May, 1967.

(Private); S. C. Cone., 2 May, 1967, Prot. N. 111698/D; reported by the 1967 Committee on Research of the Canadian Canon Law Society.

Pastors, Removable or Irremovable: This distinction to be abolished. See c. 222, Decree on Pastoral Office of Bishops, n. 31.

CANON 455

Pastors: Appointment. See c. 222, Decree on Pastoral Office of Bishops, n. 31.

Freedom of Bishop in appointing. See c. 222, *Motu proprio,* 6 Aug., 1966,1, 18; AAS 58-757.

CANON 459

Competitive Examination for Appointment to Parish: To be suppressed. See c. 222, Decree on Pastoral Office of Bishops, n. 31.

CANON 469

Pastoral Ministry: Adjustment to modern conditions. Allocution of Paul VI to a group of Italian clergy, 6 Sept., 1963 (AAS 55-750).

CANON 487

The *Ratio Institutionis* (S. C. Rel., 15 Nov., 1962) Private.

A letter of the S. C. of Religious sent to the General Superiors of clerical institutes:

Very Reverend Father:

Some religious institutes and societies for acquiring evangelical perfection, which had obtained approbation of their *Ratio Studiorum* for three years, have asked this Sacred Congregation to grant them a permanent approval of the same. But in view of the circumstances of the present time this Sacred Congregation has thought it best to defer all approbations of the *Rationes*

Studiorum until the Second Vatican Ecumenical Council which is now in progress comes to an end. Consequently, by the present Letter, it extends the temporary approbations already given, until the end of the Council.

Now, since the General Statutes[1] prescribe, in addition to the *Ratio Studiorum,* also a *Ratio Institutionis,* or system of training (art. 19, § 1), all Abbots General and General Superiors are instructed to present their *Ratio Institutionis* to this Sacred Congregation within the year 1963. It should contain, not merely in a descriptive but in a normative manner as laws are usually framed, the method of formation, humanistic, religious, priestly and apostolic, proper to each institute; that is, the sj'stem of training which is used in the middle-classical curriculum, in the novitiate, in the courses of philosophy and theology, in the pastoral course and in the third probation.

Religious institutes which already have a method approved and in use for all or some of the stages of formation indicated above, can satisfy this obligation by presenting to the Sacred Congregation as soon as possible two copies of the books dealing with this matter, for revision, taking account however of the documents issued by the Holy See on this subject in recent years.

I remain, Your Paternity, very sincerely yours in Christ,

Valerius Cardinal Valeri
Prefect

(Private); S. C. Rel., IS Nov., 1962; *Commentarium pro Religiosis,* 42 '(1963)-3.

Note: Following this text *(ibid.,* pp. 5-20) are two schemes or outlines for the composition of this *Ratio Institutionis,* one in combination with the *Ratio Studiorum,* the other independently.

Vocations: Annual Day of Prayer for (Paul VI, Radio Message, 11 Apr., 1964) AAS 56-396.

In a radio message to the whole world on 11 April, 1964, Pope Paul VI established a Universal Day of Prayer for Vocations, to be celebrated annually on Good Shepherd Sunday, the

[1] Not published in the AAS but available in English from the Catholic University of America Press; see Canon Law Digest, 4, p. 182, note.

Second Sunday after Easter. The annual celebration is to consist of liturgical functions and exercises of piety according to circumstances, with appropriate exhortations to pray for vocations to the priesthood and to religious institutes and societies of men and women, contemplative and active. The prayer, composed in Italian by the Holy Father and announced in the same address, is as follows:

O Jesus, divine Shepherd of Souls, you who have called the Apostles to make them fishers of men, continue to draw ardent and generous souls of young men to yourself, to make them your followers and ministers; make them share in your thirst for universal redemption, for which you renew your sacrifice on the altar, "always living to make intercession for us" (Hebr. 7, 25); open to them the horizons of the entire world where the silent supplication of so many brothers begs for the light of truth and the warmth of love; so that, answering your call, they may here below prolong your mission, edify your Mystical Body, which is the Church, and be "the salt of the earth," "the light of the world" (Matt. 5, 13).

Extend your loving call, O Lord, also to many souls of pure and generous women, and kindle in them the desire of evangelical perfection and of dedication to the service of the Church and of their brothers in need of help and charity. Amen.

AAS 56-396; Paul VI, radio message, 11 Apr., 1964. This English version of the prayer is taken from *The Clergy Monthly,* 2S (1964)-310.

Directives for the Religious Life (Paul VI, Allocution, 23 May, 1964) AAS 56-565.

The following is an allocution to the Superiors General of certain religious families and their members who had assembled at Rome for the General Chapter of their respective institutes.

Beloved Sons,

We find Ourself filled with great joy and no little hope as We gaze out upon this select gathering of men burdened with the government of such venerable and distinguished religious families. We take pleasure in wishing you well and in giving ex-

pression to that extraordinary esteem and gratitude which We hold in your regard.

You have come here to Rome to conduct the General Chapter for each of your various religious institutes. While these Chapters primarily have reference to your own Orders and Congregations, yet they also influence the life of the Church because, to a great extent, the Church derives her vigor, her apostolic zeal, and her fervor in seeking holiness of life, from the flourishing condition of her religious institutes.

Moreover, you have presented yourselves to Us not only to offer your homage to the Vicar of Christ as devoted and loving sons, but also to obtain the apostolic blessing that it may benefit you yourselves, your institutes, and especially those matters which are being treated of in your Chapters. We have firm confidence that out of these sessions will come forth beneficial fruits whereby your religious life will be lived with greater earnestness and enthusiasm.

Although We would have most willingly granted separate audiences to each of your groups and would have addressed each group in accordance with its distinctive character and current needs, yet We preferred to receive all of you together because, by addressing the various institutes simultaneously, We felt that We would thereby give greater weight to Our words, all the more so since this occasion provides Us with the opportunity to set forth matters of importance to all religious, no matter how many they may be throughout the world.

In the first place, We wish to direct your attention to the very great importance of religious institutes and to observe that their work is very necessary for the Church in these days. It must indeed be admitted that the doctrine of the universal vocation of all of the faithful to holiness of life — regardless of their position or social situation — has been advanced very much in modern times. This is as it should be for it is based on the fact that all of the faithful are consecrated to God by their baptism. Furthermore, the needs of the times demand that the fervor of Christian life enkindle the world itself and set souls afire In other words, the needs of the times demand a consecration of the world and this task pertains especially to the laity. All these developments are unfolding according to the plan of

Divine Providence and that is why We rejoice over such salutary undertakings.

However, all of us must be on guard lest for this very reason the true notion of religious life as it has traditionally nourished in the Church, should become obscure and our youth, when thinking about their choice of a state in life, should be thereby hindered in some way from having a clear and distinct vision of the special function and immutable importance of the religious state within the Church.

Therefore, it has seemed good to Us to recall here the priceless importance and necessary function of religious life; for this state of life which receives its distinctive character from profession of the evangelical vows, is a perfect way of living according to the example and teaching of Jesus Christ, especially since it is a state of life which keeps in view the constant growth of charity leading to final perfection. In other ways of life the specific ends, advantages, and functions, though legitimate in themselves, are of a temporal character.

On the other hand, right now when there is the greatest need for the Church to bear witness socially and publicly, such witness is provided by those in religious life. And the more it is stressed that the role of the laity is to live and advance the Christian life in the world, so much the more is it necessary for those who have truly renounced the world to let their example shine forth radiantly and in this way clearly show that *the kingdom of Christ is not of this world*.[1]

Hence it follows that the profession of the evangelical vows is an augmentation of that consecration which is proper to baptism. It is a kind of special consecration which perfects the former one inasmuch as by it the follower of Christ totally commits and dedicates himself to God, thereby making his entire life a service to God alone.

All these observations are connected with another point to which We wish to call your attention with a fatherly and solicitous heart. It is necessary that you hold the religious vows in highest esteem and that you attach great importance to their function and practice. In no other way will you be able to lead a life that is in keeping and harmony with the state you have

[1] Cf. John 18:36.

embraced — a state in which you must be so committed that it will efficaciously aid you to progress toward perfect charity. In this way will the faithful receive from you witness to the Christian way of life and be inspired to follow it.

Although human conditions have changed notably in recent years and, consequently, religious life must necessarily be accommodated to these changes, nevertheless, those things which flow from the very nature of the evangelical counsels still retain all their vigor and can in no wise be diminished.

Therefore, it is of the greatest importance to develop *religious obedience* in your lives.

Religious obedience is and must remain a holocaust, as they sav, of ones own will which is offered to God. This sacrifice of self is made with a view to humbly obeying lawful superiors whose authority, of course, must be exercised within the confines of charity and with regard for the human person, even though our times summon religious to the performance of many and heavy tasks and to carrying out these undertakings more cheerfully and more promptly.

Do not fail to inculcate a *love for poverty.* On this subject there is much discussion going on in the Church today. Religious must surpass all others by their example of true evangelical poverty. Therefore, they must love that poverty to which they have spontaneously bound themselves. It is not enough for religious merely to depend on the superior's decision with regard to their use of material things. Let religious, by their own choosing, be content with the things which are necessary for properly fulfilling their way of life and shun those conveniences and luxuries by which the religious life is weakened. Furthermore, in addition to that poverty which should characterize the life of the individual religious, we must not fail to take into account that poverty by which *the very family or whole body of religious* should be distinguished. Therefore, let the religious institutes avoid a too exquisite style and ornamentation in their buildings and in their activities as well as anything else that savors of luxury. They should bear in mind the social condition of the people among whom they live. Let them also refrain from excessive concern in gathering funds. Rather let them use the temporal goods which Divine Providence has bestowed upon them to alleviate the genuine necessities of needy brethren,

whether those needy be their fellow countrymen or those who live in other parts of the world.

With singular diligence religious should preserve *chastity as a treasured gem.*

Everybody knows that in the prevailing conditions of human society the practice of perfect chastity is made difficult, not only because of the prevalence of low morals but also on account of false teachings which glamorize excessively the merely natural and pour deadly poison into the souls of men. This state of affairs should rouse religious to greater and greater faith — that faith by which we believe the words of Christ when He proclaims the supernatural value of chastity that is sought for the sake of the kingdom of heaven; — that state which assures us beyond doubt that, with the help of divine grace, we can preserve unsullied the flower of chastity.

To attain this happy ideal it is necessary to practice Christian mortification with greater zeal and also to exercise custody of the senses with more diligent care. Therefore, the life of the religious should find no place for books, periodicals, or shows which are unbecoming or indecent, not even under the pretext of a desire to learn things useful to know or to broaden one's cultural outlook. Excepted possibly is the case, examined and approved by the religious superior, where there is proven necessity for the study of such things. In a world steeped in so many forms of vice, no one can really evaluate the effectiveness of the sacred ministry of one whose life is radiant with the light of chastity consecrated to God and from which he draws his strength.

So much for these points. And now We wish to speak quite briefly about the structure and government of religious institutes. For it is about such matters that the General Chapters are especially concerned.

It is evident that the proper conduct of religious life absolutely requires discipline, definite laws, and suitable conditions for their observance. As a result, the principal task of the General Chapter is, as time goes on, to uphold these norms of the religious family which were set down by its founder and lawgiver. Therefore, it is your responsibility firmly to bar the door against all those modes of conduct which bit by bit sap the strength of discipline, namely, practices dangerous to religious life, un-

necessary dispensations, and excessive privileges. You must also wholly guard against any relaxation of discipline which is urged, not by true necessity, but rather by arrogance of spirit, or aversion to obedience, or love of the world. Moreover, as far as undertaking new projects or activities is concerned, refrain from taking on those which do not entirely correspond to the principal work of your institute or to the mind of your founder. For religious institutes will be vigorous and flourishing only so long as the original spirit of their founder survives and inspires their discipline and work as well as the conduct and life of their members.

Religious communities, since they resemble living bodies, rightly desire to experience steady growth. However, this growth of the institute must be based on the more diligent observance of your rules rather than on the number of members or the making of new laws. Indeed, multiplicity of laws is not always accompanied by progress in religious life. It often happens that the more rules there are, the less attention is paid to them. Accordingly. let the General Chapters always use moderately and prudently whatever right they have to lay down laws.

Finally, the most important work to which the General Chapters must give special attention, is the studied adaptation of the rules of their institutes to the changed conditions of the times. This, however, must be done in such a way that the distinctive nature and discipline of the institute is kept intact. Every religious family has its proper task to which it must always remain faithful. The fruitfulness of the institute's life is based on this fidelity; in this pursuit an abundance of heavenly graces will never be lacking. Consequently, no renovation of discipline is to be introduced which is not consonant with the nature of the Order or Congregation or which in any way departs from the intention of the founder. Furthermore, this renovation of discipline demands that it proceed only from competent authority. Therefore, until this accommodation of discipline is worked out into final form, the religious members may not introduce anything new on their own initiative, nor relax the reins of discipline nor indulge in hostile criticism. Instead, let them act in such a way that by fidelity and obedience they may better help and more promptly effect this work of renewal. If renovation takes place in this way, then the *letter*

of your rules will have changed but not the *spirit* which will remain intact.

In bringing about this renewal of your institutes, you must always see to it that primary concern be given to the spiritual life of your members. Wherefore, among yourselves and among all other religious whose duty it is to devote themselves to works of the sacred apostolate, We would not want to see anyone espouse that false opinion which claims that primary concern must be given to external works and only secondary attention to the pursuit of interior perfection, as though this were demanded by the spirit of the times and the needs of the Church.

Zealous activity and the cultivation of one's spiritual life should not only not harm each other but they require the closest union in order that both may always advance with equal pace and progress. Therefore, together with fervent works, let there be an increase of zeal for prayer, beauty of a pure conscience, patience in adversity, and an active and alert charity devoted to the salvation of souls. If these virtues are neglected, not only will apostolic labor lack force and fruitfulness, but the spirit also will gradually lose fervor and the religious life will not long be able to avoid the dangers which lie hidden in the very performance of the sacred ministry.

As regards that portion of the apostolate which is entrusted to the care of religious, We wish to make these remarks. Religious institutes should take pains to adapt their specific apostolic work to present-day conditions and circumstances. The younger religious, particularly, are to be instructed and educated properly in this matter, in such a way, however, that the apostolic zeal with which they must be inflamed does not remain circumscribed by the limits of their own Order but rather opens out to the enormous spiritual necessities of present times. Nor is this all. For they should also cultivate an exquisite sensitivity to their duties in virtue of which, both in word and in deed, they will always show themselves to be true ministers of God, distinguished by soundness of doctrine and graced by holiness of life. However, in these matters, let not religious be left solely on their own. Rather, their work must always be subject to the vigilance of superiors, especially if it is a question of zeal, which ordinarily has great impact on civil society.

We have a heartfelt desire that the zealous work of religious

should go along harmonious!}' with the norms set by the sacred hierarchy. For the exemption of religious Orders is in no conflict whatsoever with the divinely-given constitution of the Church, in virtue of which every priest must obey the sacred hierarchy, particularly in the performance of the sacred ministry. First of all, religious are, at all times and in all places, subject principally to the Roman Pontiff as to their highest superior.2 Therefore, religious institutes are at the service of the Roman Pontiff in those works which pertain to the welfare of the universal Church. But as for the exercise of the sacred apostolate in various dioceses, religious are also under the jurisdiction of Bishops, to whom they are bound to give assistance, always without prejudice to the nature of their specific apostolate and the exigencies of their religious life. From all this it is clearly shown how much the allied and auxiliary work of religious given to the diocesan clergy conduces to the welfare of the Church, since united forces result in more vigorous and more effective action.

And so, dearly beloved sons, from these brief observations, you see what We consider as greatly contributing to the growth of religious life in our day. May all these remarks bear witness to you of the solicitude with which We view and esteem the religious life and of the great hope We place in your assistance. The road which We have pointed out to you is certainly difficult and laborious. But lift up your soul in hope, for the cause is not ours but that of Jesus Christ. Christ is our strength, our hope, our source of constancy. He will be with us always. Wherefore. continue to diffuse the good odor of Christ as widely as possible by the integrity of your faith, the holiness of your life, and the earnestness of your quest for all virtue. Meanwhile, We thank you for your homage. We pray God through the intercession of the most sweet Virgin Mary, Mother of God, and mother and nourisher of religious virtue, that your institutes may continue to grow daily and bring forth ever richer and more salutarv fruit.

May our Apostolic Blessing procure these fruits for you. With overflowing love We bestow it upon each of you, beloved sons, and upon all your religious brethren.

= Can 499. § 1

AAS 56-565; Paul VI, Allocution, 23 May, 1964. Annotations in *Commentarium pro Religiosis,* 43 (1964)–192–200 (Gutierrez).

Society of Jesus: Sesquicentennial of Its Restoration (Paul VI, Letter, 20 Aug., 1964) AAS 56-803.

A Letter of Paul VI to the Very Reverend John Baptist Janssens, General of the Society of Jesus:

Beloved son, health and Apostolic Benediction:

We were very happy to learn that the Society of Jesus over which you worthily preside is commemorating this year an event certainly entitled to remembrance, namely the one-hundred-and-fifty years that have elapsed since Our Predecessor Pius VII, by the Apostolic Letter *"Sollicitudo omnium ecclesiarum"* completely restored the Society of Jesus.

It is fitting that We should join you in giving thanks to God, and that We should present Our paternal good wishes on this happy occasion, which is not only a source of joy to yourself and the members of the Society, but is also of a nature to move you strongly toward salutary plans for the future.

This celebration does indeed evoke the memory of those painful events which were the cause of so many hardships and so much suffering to the members of the Society of Jesus. But at the same time it serves to bring to light the wonderful vigor of the life of your Society, and especially that loyalty to the Church and to the Supreme Pontiffs w'hich has always, but especially in times of great adversity, shone with a clear radiance in the sons of Saint Ignatius. For this is the peculiar quality which your Founder desired that his sons should possess, and which they have always sought to cultivate most faithfully as a sacred heritage.

Small wonder then that in the year 1814 Our Predecessor Pius VII, shortly after returning to Rome from his exile, in order the better to promote the interests of the Church, decided to restore to life as soon as possible your Society, which was almost completely destroyed throughout the world. By this means he planned to satisfy the most ardent desires of men of good sense, and he was convinced that he would thus provide

expert oarsmen for the barque of Peter, constantly buffeted by adverse winds?

God was with your restored Society, and favored it, for it soon experienced a happy growth, and under the wise government of its highest Superiors, made it its chief aim to revive perfectly in your members the original spirit of your Institute. From this spirit as principal cause has sprung that new progeny of Saint Ignatius which, rivaling the works of the old Society, has performed so many notable services, in promoting missions, in advancing sacred learning, in the education of youth and in vindicating the rights of the Holy See, and especially in the practice and teaching of Christian perfection, with great glory to God and advantage to the Catholic religion.

You have therefore done well, beloved son, in bringing these things to the attention of your subjects on this happy occasion. We believe that it will redound not only to the honor of your Society but also to the advantage and benefit of the Church. When we see this age of ours rushing so swiftly on a new course, when we have to recognize such great and urgent necessities of souls, to see false doctrines gaining ground, men so eagerly coveting earthly goods and despising those of heaven, surely we must admit that today, no less than when your Society was restored, the Church needs stalwart soldiers of Christ, men of unwavering faith, ready to undergo the most arduous trials in order to carry the message of salvation through to the men of our time.

We have great hope in your helpful collaboration in this work, if you make it your aim not so much to admire as to imitate the examples which you are commemorating on this occasion; that is, if, after the example of your forebears, you see to it that in your conduct and in your apostolate there live and breathe the genuine spirit of your Founder, that all the new works which you may undertake be entirely in accord with his mind. See to it then that, motivated and inspired by this spirit, you be ever more steadfastly confirmed in your loyalty to the Church and to the Vicar of Christ. To be sure, this is prescribed for all the faithful, but for you it must be considered a most

1 Cf. Pius VII, Ap. Letter, *Sollicitudo omnium ecclesiarum,* 7 Aug., 1814.

sacred obligation, for you are bound by the law of your Institute "to be in a special way at the service of the .Apostolic See."2 Likewise, according to the example of your predecessors, attend most carefully to preserve Catholic doctrine unchanged as handed down by the Church, and to defend it valiantly and skilfully against the inroads of error. Neglect no human study that may in time throw new light on Christian truth, or that may explain this truth, which is ever the same. Finally, continue, as you are doing, to devote yourselves to works of the external apostolate, in missionary labors, in the education of youth, and especially in the spiritual Exercises, in all of which you have already won great laurels.

In doing so you will surely be responding in the best way to your religious profession, and you will also bring it about that the new age of the Society of Jesus be truly and beautifully of a piece with the old, and that through your efforts it may be a worthy heir and reflect the glory of the great and holy works of the old Society.

These are Our heartfelt wishes for you from God, while, as a prayer for heavenly graces and as a token of Our paternal benevolence, We gladly impart to you, beloved son, and to your religious family, the Apostolic Blessing in the Lord.

Given at Rome, from Saint Peter's, the 20th day of August, in the year 1964, the second of Our Pontificate.

AAS 56-803; Paul VI, Letter, 20 Aug., 1964.

Religious and the Liturgical Apostolate (S. C. Rel., 14 Dec., 1965) Private.

His Eminence Cardinal Antoniutti, Prefect of the S. C. of Religious, notified the Roman Union of Superiors General of the necessity that all religious Orders and Congregations whose members engage in the liturgical apostolate through Centers, publications, liturgical weeks and so forth, should always proceed in accord with the Sacred Hierarchy, so as to preserve uniformity in each respective region, without prejudice to the peculiar rights of the individual Ordinaries.

(Private); S. C. Rel., 14 Dec., 1965; Prot. N. 5821/64; reported in - Constitutions of the Society of Jesus, Part X, b.

Commentarium pro Religiosis, 45 (1966)-332, from the *Analecta 0. P* 74 (1966)–425.

Superioresses General: International Union (S. C. Rel., Address of the Cardinal Prefect) Private.

With the exception of the section on the religious habit, which we report in full, the contents of this address are summarized for economy of space.

The International Union owes its origin to a suggestion made by the Cardinal Prefect to the Sister Observers at the Council. Fruitful meetings were held with Archbishop Paul Philippe, O.P., Secretary of the S. C. of Religious, and Statutes for the Association were adopted.

The purposes of the International Union are: concentration and union of forces for the service of the Church; intensification of the apostolate of religious w'omen: a more effective distribution of personnel by agreement among the various Institutes; solution of general problems common to all, and the coordination of religious life according to the spirit of the Council. The decree erecting the Association will be made at the close of the Council on 8 December, 1965.

In spite of much talk about renewal of the religious life, the press has not dealt adequately with the serious aspects of this renewal. The high importance of the subject was recognized by the Council in devoting to it Chapter VI of the Dogmatic Constitution on the Church, and issuing also a separate Decree, *Perfectae caritatis,* on the Appropriate Renewal of the Religious Life. Renewal does not mean radical change; the substance of the religious life must be kept intact. In spite of many exaggerated and false interpretations of the mind of the Council on this matter, religious themselves, of both contemplative and active Institutes, have reaffirmed their determination to remain absolutely faithful to their vocation and the rules of their Institute.

The religious life is a positive profession before the whole world that Christ lives in the souls thus consecrated to Him. Changes and adaptations to the times are needed; of these we will speak on another occasion. In the meantime the Decree of the Council remains a great source of inspiration and energy for all religious.

A Particular Question: the Religious Habit. I would like to use this occasion to present some thoughts on a question which, though not of primary importance, is of actual interest. The papers are really extravagant in their discussions of so-called style in ecclesiastical and religious dress, presenting new models for the clothing of Sisters and religious.

The public might be led to believe from these accounts that the renewal of the religious life must involve radical changes in the habit, as though these changes were a matter of essential import. So much has been said and written on this subject, whereas discussion might well have turned on far more important matters.

The text of the Council's Decree states that the religious habit should be simple, modest, poor, becoming, hygienic, suitable for the place where the religious live. In these few words it states what the religious habit should represent.

Various persons have recently written to me lamenting the fact that here and there changes have been introduced which have caused surprise and wonderment. Some of the models presented have very little of the religious about them.

The austere and dignified character of the religious habit must be preserved, because it is the visible sign of consecration to God. The veil should be kept if it is prescribed by the Constitutions, and it should not be reduced to a simple ornament suggestive of the Red Cross. The dress should be modeled in a form worthy of consecrated persons, for whom the safeguarding of modesty is of primary importance. Reduce if you will the quantity of the material, trim down the amplitude of the figure, simplify the pleats, the fringes and the lace, eliminate some useless tassels; conceal the cincture if you wish, get rid of the white bibs, but keep the sober and austere line as a visible sign of penance, consecration, piety, always framed in a delicate sense of modesty. So let your habit be suitably long, simple, and sober, such as to be ever fit to "present a chaste virgin to Christ."

Remember that the people expect the Sister to appear, even in her dress, as a symbol of poverty, charity, dedication to the service of the neighbor. The Sister should be distinguishable from other persons even as regards her dress.

I have offered you these reflections because the subject is of actual interest, and also to encourage you to take thought of

what can be done to comply with these suggestions. In your character as Superioresses General, give good example by accepting with full conformity the directives of the Council and working for the good of your Communities, confident that you will thus contribute also to the good of the Church.

The Assistant General to the International Union is the Very Reverend Father Le Bourgeois, Superior General of the Eudists; the Vice-Assistant General is the Reverend Father Andretta of the Society of Jesus.

Thanks and best wishes, with the blessing of the Lord.

(Private); reported without date in *Commentarium pro Religiosis,* 45 (1966)–333–336, from *Revista dcllc Religiose,* 15 (1966)—149-153.

Sedes Sapientiae: The Pastoral Year (S. C. Rel., 28 Oct., 1964; 15 Dec., 1966) Private.

The following questions were proposed to the S. C. for Religious by the Procurator General of the Order of Friars Minor Conventual.

1° Must the pastoral course prescribed by the apostolic constitution, *Sedes sapientiae,*[1] be considered an integral part of the prescribed "program of studies" (O.F.M.Conv., *Const.,* n. 694) also as it affects both active and passive voice in the election of a delegate from the local house to the Provincial Chapter and, eventually, for participation in any other kind of act which is properly called a capitular act?

2 In a case where, for a just reason, the aforesaid pastoral course has been postponed for some priest, does he have the right to active and passive voice?

3 What should be the norm and criterion — always in relation to the effects of election of a house delegate and of other capitular acts—for priests who after the completion of the ordinary theological course, continue higher studies at institutes in which residence is obligatory or at state universities where residence is not obligatory?

4 Finally, the General Board of Definitors humbly requests that, if some case of well-founded doubt is presented in relation to the contemplated conditions, the Minister General be authorized to resolve it.

[1] See Canon Law Digest, 4. pp. 169-182.

Reply: After mature consideration of the proposed questions and after having attended to all pertinent aspects, this Sacred Congregation has decided to reply and does reply:

To 1°: *In the affirmative.*

To 2°: *In the negative.*

To 3°: This is provided for in art. 48 § 2 of the General Statutes annexed to the apostolic constitution. *Sedes sapientiae.*

To 4°: Recourse is to be had in each case.

(Private); S. C. Rel., 28 Oct., 1964, Prot. N. 1955/64; copy of the original documents kindly sent us by the Rev. Juniper Cummings, O.F.M.Conv., American Assistant General.

Subsequent to the above replies, the Procurator General explained to the S. C. for Religious that reports on the canonical visitations by the Ministers Provincial showed that a number of priests had either not made any part of the pastoral year or had done so only partially. This state of affairs had arisen from various sets of circumstances: 1) necessity to meet urgent ministerial needs; 2) foreign mission needs; 3) lack of such a course in the province or in the diocese; 4) the *Sedes sapientiae* and its statutes had not been promulgated until 1963 because of various internal reasons but particularly because of the work preparing for celebrating the 1960 General Chapter.

In view of all these circumstances and the above-reported replies, it now turns out that it is either absolutely impossible or practically impossible for those who have gone to foreign missions or have for several years been engaged in offices (pastors, superiors, etc.) to make the pastoral year and yet participated in many juridical acts of the local and provincial Chapters. .As a result, the Procurator General, at the request of the respective Ministers Provincial and with the approval of the Minister General, humbly requests that the following favor be granted, sc., that:

a) those priests henceforth be obliged to the prescribed pastoral course who completed the four-year theological course in 1964 and thereafter with the exception of those who either went through at least an abbreviated pastoral course, or who went to the foreign missions and are superiors, pastors or the equivalent of these in the missions, or who, because of special circumstances which are to be weighed by the Minister General and his Board of Definitors, cannot go through even an abbreviated pastoral course.

b) other priests, however, must make up the pastoral course which is to last at least three months, e.g., during the summer or at some other time.

c) As for the future, on the other hand, i.e., from 1967, all priests who complete the theological course are absolutely obliged to the due performance of the pastoral course as it is prescribed in art. 48 of the *General Statutes* of the S. Congregation for Religious in accord with the apostolic constitution, *Scdes sapientiae.*

d) whatever up to this time needs sanation and can be sanated, be sanated and priests who are subject to making up the pastoral course as indicated above under letter *b),* be meanwhile granted active and passive voice up to the end of 1967.

Reply: In virtue of faculties granted by our Holy Father, the Sacred Congregation for Religious, after attending to the recitals, graciously agrees to the favor as requested, provided the other requirements are observed.

All things to the contrary notwithstanding.

Given at Rome, 15 December, 1966.

(Private); S. C. Ret, 15 Dec., 1966; reported in *Commentarium pro Religiosis,* 46 (1967)—404—405.

Ratio Studiorum Urged to Include Liturgical Instruction. See c. 2; *Motu proprio* to implement Constitution on the Liturgy, η. I.

Religious Women: Allocution of Paul VI exhorting that horizons be broadened regarding participation in the life of the Church; announcement that some women auditors will attend the Council. 8 Sept., 1964 (not in AAS). English version in *The Pope Speaks,* 10 (1964-65)-13-18

Major Superiors. Allocution, Paul VI to 14th annual conference of Roman Union, 16 May, 1966 (AAS 58-488). English version in *The Pope Speaks, 11 (1966)-109-113.* *J-'.*

Superiors. Major: of Orders and Congregations of men in Italy, Allocution, Paul VI, 18 Nov., 1966. *Documentation Catholique,* 63 (1966)—2113-2118

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African Missionaries' Society: Allocution of Paul VI to General Chanter 22 June. 1967 (AAS 59-779). ”

Benedictines: Abbesses and Prioresses of Italy. Allocution, Paul VI 28 Oct. 1966 (AAS 58-1155).

Confederated Benedictines, General Chapter. Allocution, Paul VI, 30 Sept., 1966 (AAS 58-884).

Brothers of Christian Schools: Allocution, Paul VI to 39th General Chapter, 7 June, 1966 (AAS 58-506).

Cistercians: New independent Congregation in Vietnam. See c. 494, ref.; AAS 58-130.

Clerics Regular of the Poor Schools of the Mother of God: Allocution, Paul VI to the General Chapter, 26 Aug., 1967 (AAS 59-860).

Discalced Carmelites: Allocution of Paul VI to the General Chapter, 22 June, 1967 (AAS 59-775).

Friars Minor: Letter of Paul VI to the Very Reverend Basil Heiser, Minister General, on the third centenary of the death of Saint Joseph of Cupertino, 27 June, 1963 (AAS 55-736).

Paul VI, Allocution to General Chapter in Rome, 12 July, 1966 (AAS 58-645).

Allocution to General Chapter at Assisi. Paul VI, 23 June, 1967 (AAS 59-781).

Knights of the Holy Sepulchre: Ap. Letter of John XXIII approving new statutes, 8 Dec., 1962 (AAS 55-444). These statutes are a revision of those approved by Pius XII in 1949. See Canon Law Digest, 3, p. 59.

Knights of Malta: Constitutions approved. Paul VI, Ap. Const., *Mirabili Sanctae,* 8 Dec., 1965 (AAS 58-201). For a summary of earlier procedures, see Canon Law Digest, 4, p. 189. The present document confirms and approves the new Constitutions under the name: *"Codex luris Melitensis: Novus Legum Codex Sacri Ordinis Fratrum Militum Hospitalis Sancti loannis Hierosolymitani, nunc Ordinis Melitensis appellati."*

Nuns: Special faculties of Superioresses General of Orders of Nuns and of Superioresses of autonomous monasteries. See c. 66; S. C. Rel., 31 May, 1966.

Oblates of Mary Immaculate: Allocution, Paul VI to members of General Chapter, 5 Feb., 1966 (AAS 58-214).

Opus Dei: Although classified and listed as a Secular Institute in the *Annuario Pontificio* for 1965, p. 883, and for 1966, p. 885, Opus Dei no longer considers itself nor is it considered by numerous non-members as a Secular Institute but rather as a special form of association of the faithful. For a study of the whole question of Opus Dei in relation to and its differences from the current understanding of Secular Institutes, see *The Jurist,* 25 (1965)–129–162 (Hcrranz). Although Opus Dei is listed in the 1964 edition of the U. S. *Official Catholic Directory,* p. 62, as a Secular Institute, in the 1965 edition, p. 64, it has been removed from that category and classified as an association of the faithful.

Paris Society of Foreign Missions: Letter of Paul VI, 3 Dec., 1963, to the Very Reverend Maurice Quéginer, Superior General, on the third centenary of the establishment of the Society (AAS 56-23).

Priests of the Sacred Heart. Paul VI, Allocution to General Chapter, 14 June, 1066 (AAS 58-500).

Rcdemptorists: Allocution of John XXIII to the General Council of the Congregation of the Holv Redeemer meeting in Rome, 8 Feb., 1063 (AAS 55-220).

Allocution to General Chapter, Paul VI, end of September 1967 (AAS 59-960).

Salesian Society of Saint John Bosco: Allocution of Paul VI to the members of the General Chapter, 21 May, 1965 (AAS 57-526).

Allocution, Paul VI on occasion of inauguration of new headquarters for the Salesian Atheneum, 29 Oct., 1966 (AAS 58-1162).

Secular Institutes: Special faculties of certain Superiors General. Sec c. 66; Sec. St., 6 Nov., 1964, sect. II, n. 2; S. C. Rel., 31 May, 1966, sect. II, n. 2.

Sacred Congregation for Religious and. See c. 242; Paul VI, Ap., Const., 15 Aug., 1967, nn. 71-74.

Society of Jesus: General Congregation (31st) for election of new General. Address of Paul VI to delegates, 7 May, 1965 (AAS 57-511).

General Congregation (31st): address of Paul VI to delegates at Mass in Sistine Chapel, 16 Nov., 1966 (AAS 58-1172). English version in *Catholic Mind,* 65 (Jan., 1967)–59-64; *The Pope Speaks,* 12 (1967)–23-29.

Press conference of Peter Arrupe, Superior General of the Jesuits, on the work of the 31st General Congregation. *Documentation Catholique,* 63 (1966)–2147–2156.

Vincentians (Congregation of the Mission): Allocution of Paul VI to the assembled delegates to the 33rd general congregation of the institute, 30 Aug., 1963 (AAS 55-744).

CANON 489

Trappists Abolish Class Distinction of Members (S. C. Rel., 27 Dec., 1965) Private.

The following decree for the unification of Trappist communities is an implementation of no. 15 of Vatican II's decree on the adaptation and renewal of religious life.

The principal task of monks is to render service to the divine majesty, a service which is humble, yet noble. This task is performed within the confines of the monastery in a sheltered life dedicated to the worship of God. With a view to fostering a more zealous discharge of this sacred duty and to promoting a closer bond of brotherly union among the members, the Abbot General of the Order of Reformed Cistercians, supported by the votes of the General Chapter, has submitted a humble request that the status of only one class of religious be restored in the Order and that all members be monks directly or indirectly working together in the celebration of the Divine Office.

After having weighed every pertinent matter according to the spirit of the Second Ecumenical Vatican Council, this Sacred Congregation gladly grants the petition presented and by the terms of this decree confirms and approves what follows:

1. There exists only one class of religious in the Order. All are monks with the same monastic formation and the same rights and obligations. As a result, only that distinction is to be retained which is demanded by the difference of works to which the monks may be assigned by reason of a special vocation from God or of special aptitude. Nevertheless, the abbot, prior, and master of novices are to be chosen from among the priests.

2. The special work of the monastery is the celebration of the Divine Office; as St. Benedict says: "Nothing is to be preferred to this work" (cf. n. 77 *Constitutionum Monachorum;* and n. 51 *Constitutionum Montalium).* It follows, then, that all, each in his own way, must, directly or indirectly, cooperate in this choral celebration.

3. All monks who are in sacred Orders, even when they are legitimately absent from choir, are obliged to discharge the entire Divine Office. Those who are not in sacred Orders but are bound to choir, if they are legitimately absent from choir, must, in accord with the Second Vatican Council's Constitution on the Sacred Liturgy, n. 95, c. and with the Instruction for the Implementation of the same Constitution,[1] n. 7S, a, recite privately the canonical hours which they did not discharge in choir unless, in the judgment of the abbot, there is a special reason to the contrary. On the other hand, those who are not bound to choir and were not present at choir, are obliged according as the abbot decides to the recitation of: (o) the Divine Office or (Z>) the shortened office approved by the Holy See; or (c) the so-called Office of the Lay Brothers *(conversorum)* in accordance with the constitutions.

4. Those who have already made profession for the class of Lay Brothers are free to remain in their state.

5. With observance of the essentials and with proper adaptation, this decree holds for nuns of the Order.

All things to the contrary notwithstanding.

Given at Rome, 27 December, 1965.

(Private); S. C. Rel., 27 Dec., 1965, Prot. No. 1654/65, T. 34.

[1] Beth documents reported above on pp. 32 and 73 respectively.

Note: With the above decree the Cardinal Prefect of S. C. Rel. sent the following letter to the Abbot General.

Most Reverend Father Abbot:

I am glad to be sending to Your Paternity the enclosed decree concerning the unification of classes in the monasteries of the Order.

The proposals which Your Paternity presented in the name of the General Chapter have been studied most carefully by the Sacred Congregation. This study has been prompted by the importance of such an innovation for the Order and its possible influence for other Orders, which may be anxious to bring into effect the adjustment and renewal desired by the Council.

With a view to a satisfactory arrangement for the execution of the decree, power is here and now given to Your Paternity, in conjunction with your Council, to decide on what date it will come into force, and at the same time to postpone the application in favor of those monasteries whose special situation may ask for such a measure.

With regard to the adjustment of articles in the constitutions and explanation which may be needed to bring them into line with the terms of the decree — this may be done just when Your Paternity shall judge best. Will you please be so kind as to inform this Sacred Congregation?

This Sacred Congregation wishes that, when three years have passed from the application of this decree, it may receive an account of the results obtained.

I am glad to take this opportunity to express my sincere regards and to ask Your Most Reverend Paternity to believe me,

Yours most devotedly in the Lord,
/s/ I. Card. Antoniutti
Prefect

(Private); S. C. Rel., undated. The Latin text of the decree and the English text of the letter both reported by the 1966 Committee on Research of the Canon Law Society of America.

Capuchin Nuns Authorized to Abolish Difference in Habit of Choir Nuns and Conversae: S. C. Rel., 6 Feb., 1965; *Acta O.FM.Cap.*, 81 (1965)–54. *Commentarium pro Religiosis*, 44 (1965)–201.

Constitutions, Directories, Custom Books, etc., to be revised to conform to Council. Sec c. 222, Decree on Adaptation and Renewal of Religious Life, n. 3.

Ono Class of Sisters in communities of women. See c. 222, Decree on Religious Life, n. 15.

Revision of Constitutions after the Council. See c. 222, *Motu proprio,* 6 Aug., 1966, II, 12-14; AAS 58-757.

CANON 492

Erection of Religious Institutes: In territories under jurisdiction of S. C. Prop. Fid.: present day practice with specimen documents and commentary in *Laurentianuni,* 5 (1964)-283-290 (Lazarus ab Arbonne).

CANON 493

Merger of Two Religious Institutes (S. C. Rel., 4 Feb., 1967) Private.

Case: The diocesan community of the Sisters of St. Francis of Rice Lake in the Diocese of Superior, Wisconsin, was experiencing considerable difficulties in the past years. These difficulties pertained to finances and personnel. There were only 30-some members after nearly fifty years of existence. The Sisters of St. Joseph of the Third Order of Saint Francis, whose motherhouse is in the Fort Wayne-South Bend Diocese in Indiana, agreed to accept the Sisters of St. Francis of Rice Lake into their community. The Sisters of St. Francis of Rice Lake voted unanimously and individually to accept the merger. The case was then presented to the S. C. for Religious.

Reply: The Sisters of the Congregation popularly known as "Sister of St. Francis of Rice Lake," whose motherhouse is located in the Diocese of Superior, of diocesan right, because of special circumstances in which they find themselves, by unanimous consent, directed a petition to the Sacred Congregation for Religious that they be permitted to unite with the Congregation commonly known as "Sisters of St. Joseph, T. O. S. F." of pontifical right, whose motherhouse is located in the Diocese of Fort Wayne-South Bend.

This Sacred Congregation, after mature deliberation and with the consent of the Ordinary of Superior and the vote of the Ordinary of Fort Wayne-South Bend, grants to the said Ordinary

of Superior the faculty of bringing to completion the aforesaid exstinctive union of persons and goods under the rule and observance of the constitutions of the Congregation of Sisters commonly known as "Sisters of St. Joseph, T. O. S. F."

The goods, the rights and obligations, and especially the burdens of foundations, if such exist, are likewise considered joined to the goods and obligations of the Congregation to which the Sisters themselves are joined, with observance, however, of those things which regard pious foundations.

The individual Sisters are to be considered in possession of the same rights of profession which they enjoyed in their own institute, provided that through a free act to be signed and preserved in the archives, thev state that thev vote to be ascribed to the Congregation of the Sisters popularly called "Sisters of St. Joseph, T. O. S. F."

If any Sister refuses to accept the aforesaid union, let her request, according to the norm of law, an induit either of secularization or of transfer to another institute; the necessary requirements are to be observed.

When the union is completed, it will be the task of the Ordinary of Superior to report all to this Sacred Congregation.

All things to the contrary notwithstanding.

Given at Rome, the 4th day of February, A.D. 1967.

(Private); S. C. Rel., 4 Feb., 1967, Prot. N. 6587/67; texts kindly sent us by the Rev. Raymond L. Schoone, Chancellor of the Diocese of Superior, who also informed us that the merger became effective on 19 March, 1967. Authorization to publish the documents was also kindly granted by Mother Mary Benjamin, Superior General of the Sisters of St. Joseph, T. O. S. F.

Union and Suppression of Institutes. See c. 222, *Motu proprio,* 6 Aug 1966, II, 39-41 ; AAS 58-757.

CANON 494

Erection of Provinces of Oriental Rite: Recommended for Latin-rite institutes working among Orientals. See c. 1; Cone. Vat., II., 21 Nov., 1964. n. 6.

New Independent Congregation of Cistercians: Erected in Vietnam under the name and patronage of the Holy Family and consisting of four Cistercian abbacies already established. Paul VI, Ap. Letter, 6 Oct., 1966 (AAS 58-130).

CANON 495

Erection of Houses of Oriental Kite: Recommended for Latin-rite institutes working among Orientals. See c. 1; Cone. Vat. II., 21 Nov., 1964, n. 6.

CANON 497

Erection of Houses of Oriental Rite: Recommended for Latin-rite institutes working among Orientals. See c. 1; Cone. Vat. II., 21 Nov., 1964, n. 6.

CANON 498

Suppression of Exempt Religious House. See c. 222, *Motu proprio,* 6 Aug., 1966, I, 34; AAS 58-757.

CANON 499

Cardinal Protectors Not to Be Appointed Hereafter (Sec. St., Letter, 28 Apr., 1964) Private.

A letter of the Cardinal Secretary of State to the Eminent Dean of the Sacred College:

Your Eminence:

The Sacred Congregation of Religious recently submitted for the consideration of the Holy Father a study on the institution of Cardinal Protectors. . . . The Supreme Pontiff . . . has decided that for the present there are to be no more appointments of Cardinal Protectors. As for those already appointed, in the next edition of the *Annuario Pontificio,* the list of Protectorates which hitherto came after the names of the Cardinals, will be omitted.

By order of His Holiness I have the honor of asking of Your Eminence the courtesy of bringing the above to the notice of the Sacred College.

A. G. Card. Cicognani

(Private); See. St., Letter, 28 Apr., 1964, Prot. N. 20785; translated from the original Italian in *Commentarium pro Religiosis,* 43 (1964)-152.

CANON 500

Authority of Local Ordinary Over Religious: State and Nonconfessional Universities and Associated Residences, Religious Habit (S. C. Rel., 11 Jan., 1967; U. S. Apost. Del., 24 Jan., 1967) Private.

The following notice was sent to all local Ordinaries of the United States by the Apostolic Delegate.

On 11 January, 1967, the Sacred Congregation for Religious wrote to me about the control that the Ordinary has the right to exercise over the admission of religious men and women to state and nonconfessional universities as well as over the places of residence set apart for religious or chosen by them.

In this letter the Cardinal Prefect states that the Ordinary does not exceed his rights when he declares a certain school prohibited to priests and religious because he has opportune knowledge about these institutions and must prevent harm to souls placed under his responsibility. The same is true in case the Ordinary expresses himself against the residence of religious in places that are not fitting.

In addition, that section of the *Motu proprio, Ecclesiae sanctae,*[1] which provides norms for the decrees, *Christus Dominus* and *Presbyterorum Ordinis,* enunciates the authority of the Ordinary in the matter of use of religious garb. Article 25, § 2 (d) seems to confer on the Ordinary the power to judge, in his own territory, if the religious superior has had sufficiently grave motives to waive the use of the religious habit.

I believe that this information will be of practical value in cases which are no longer uncommon.

(Private); S. C. Rel., 11 Jan., 1967; U. S. Apost. Del., 24 Jan., 1967, Prot. No. 306/67 ; authorization to publish the notice kindly granted us by the U. S. Apostolic Delegate, 11 April, 1967.

CANON 501

Erection and Statutes of the International Union of Superioresses General (S. C. Rel., 6 and 8 Dec., 1965) Private.

Following is the decree of erection of the International Union

[1] Reported above, p. 264.

of Superioresses General.

For a long time the Sacred Congregation for Religious in its great interest in the spiritual progress of those women who have dedicated themselves to God in the state of perfection through profession of the vows of religious life, has desired to set up a Council of Superioresses General.

Therefore, having allowed a suitable space of time to prepare a fitting organization of those same Superioresses General, having listened to certain religious who are especially learned in this matter, having consulted the Mothers Auditor who attended the Second Ecumenical Vatican Council, and having attentively considered everything, this Sacred Congregation believes it the opportune time to set up the International Union of Superioresses General which would appear to be the first fruit of the conciliar decree, *Pcrjectae caritatis,*[1] and also an appropriate help toward the application of the same decree.

As a result, this Sacred Dicastery by the present decree does erect the aforesaid Union and declares it erected from the date of this decree. Moreover, the statutes whereby, without prejudice to the norms of common law, the same Union is governed are approved experimental!}' for a period of five years. At the end of that time, they should be again submitted to this Sacred Congregation for revision and confirmation.

All things to the contrary notwithstanding.

Given at Rome, on the feast of the Immaculate Conception of the B.V.M. and on the solemn conclusion of the Second Ecumenical Vatican Council, the 8th day of December, 1965.

STATUTES OF THE INTERNATIONAL UNION OF SUPERIORESSES GENERAL

I. Nature and Members

1. The International Union of Superioresses General is an organization of pontifical law established by the Sacred Congregation for Religious. It is governed by these present statutes.

2. The seat of the Union is at Rome.

3. AU the Superioresses General of religious institutes and of Societies of common life, both of pontifical and of diocesan law, are by right members of the Union.

[1] Reported in this volume in summary form on p 236

II. Aims and Organs

4. The Union has as its aim the fraternal and efficacious collaboration of the Superioresses General of the whole Church, with a view to sharing their experience, to study the present-day problems of religious life, and to carry out, in a benevolent manner, plans of general interest.

5. For this purpose, the Union will: (1) consult the Superioresses General; (2) make known to them the instructions of the Sacred Congregation for Religious, and convey to the latter their questions and their suggestions; (3) exchange information with the National Unions of Major Superioresses; (4) give advice, should the occasion arise, to the Superioresses General who ask for it.

6. The usual organs of the Union are: the General Assembly of the Delegates, the General Council, the Executive Committee, the Permanent Secretariate, and the Special Commissions. The full assembly of all the Superioresses General shall be convoked on certain occasions according to the decision of the General Council and with the approval of the Sacred Congregation for Religious.

III. Powers

7. The Union of Superioresses General may make decisions in all that regards its functioning. However, it may not modify its statutes without the authorization of the Sacred Congregation for Religious.

8. The Union is not endowed with any legal authority, either over the Superioresses General, or over the National Unions of Major Superioresses.

IV. Assistants

9. An Assistant General is named for three years by the Sacred Congregation for Religious to represent it in the Union and to advise the latter.

10. The Assistant General is supported by a Deputy Assistant General, named for three years by the Sacred Congregation for Religious. The Deputy takes the place of the Assistant General when the latter is absent.

V. General Assembly of Delegates

11. The General Assembly is composed of the General Council and the Delegates from all the countries in which there are resident Superioresses General.

12. In every country, at least six months before the General Assembly, the Superioresses General, convoked by the Delegate in charge or, if there are several Delegates, by the first elected among them, shall assemble under her presidency to elect by absolute majority the Delegate or Delegates to the General Assembly. If a Superioress General cannot assist at this meeting, she will have the right to vote by mail. If this meeting should be impossible, the election will be made by mail and by a relative majority. In those countries where there is only one Superioress General, she will, by that very fact, be a member of the General Assembly.

13. The number of Delegates shall be fixed according to the following proportion:

1) in countries where fewer than fifty Superioresses General reside, these shall elect one delegate to the General Assembly;

2) in countries in which reside from fifty to two hundred Superioresses General, they shall elect two delegates to the General Assembly;

3) in countries where more than two hundred Superioresses General reside, they shall elect three delegates to the General Assembly.

14. In each country, one, two, or three other Superioresses General shall be elected in the same way, to fill the place, in the General Assembly, of those delegates or the delegate who might be prevented from assisting or whose office in their Institutes might terminate before the end of their mandate.

15. The delegates and their substitutes are elected for three years and may be reelected. For the whole of their mandate, the delegate or delegates will be the link between the General Council or the Executive Committee and the Superioresses General.

16. The Superioresses General of each country may express their wishes either at the time of the election of the delegate or delegates, or by mail. These wishes shall be sent to the Executive Committee at least three months before the General Assembly.

17. The General Assembly of Delegates shall meet every three years to elect the members of the Executive Committee and ten of the General Councillors, and to study the problems which fall within the competence of the Union. It must therefore: (1) hear the report of the activities of the General Council and of the Executive Committee during the period since the last General Assembly; (2) be acquainted with the work of the Special Commissions (cf. art. 36-38); (3) examine the \vishes submitted by the delegates (cf. art. 16); (4) study the questions of importance arising at the moment regarding religious life and, should the occasion arise, submit wishes to the Sacred Congregation for Religious; (5) pass resolutions regarding the general procedure of the Union and the work to be undertaken during the following period; (6) vote, by a majority of two thirds, for the modifications in the statutes of the Union which it may consider should be submitted for the approval of the Sacred Congregation for Religious; (7) approve the accounts and the budget (cf. art. 41).

18. The acts of the General Assembly shall be submitted for the approval of the Sacred Congregation for Religious before being made known to all the Superioresses General.

VI. The Gener\x1 Council

19. The General Council, the directing organ of the Union, is composed of the five members of the Executive Committee (the President General, two Vice-Presidents General, the Secretary General, and the Treasurer General) and of fifteen General Councillors. The Assistant General, the Deputy Assistant General and the Deputy Secretary General have the right to take part in these meetings but do not vote.

20. The President, the two Vice-Presidents, the Treasurer General, and ten of the General Councillors are elected by the General Assembly of the delegates and may be reelected. The Secretary General and the other five General Councillors are named by the Sacred Congregation for Religious after consulting the Executive Committee.

21. The Secretary General need not be a Superioress General but in that case she will not be entitled to vote.

22. The members of the Executive Committee must be elected from among the Superioresses General living in Rome, but the

General Councillors may be chosen from among those who live elsewhere provided that they are able to assist at the meetings of the General Council.

23. The members of the General Council shall be chosen rather by reason of the competence of the person than for the representation of the various institutes and of the different countries.

24. The members of the General Council hold office for three years. If a Superioress General ceases to be so, she immediately loses her place in the General Council. If she was admitted to the Council by election, the General Council shall elect a new member during the next meeting, unless the General Assembly of delegates is to take place within six months. If it is question of one of the five General Councillors who were appointed, she shall be replaced at once by the Sacred Congregation for Religious.

25. The General Council shall generally meet in Rome twice a year, as a rule.

26. If a member is prevented from assisting at a meeting of the General Council, she shall not be replaced.

27. The activity proper to the General Council is: (1) to decide which problems are to be submitted to be studied by the General Assembly or by the Special Commissions; (2) to form Special Commissions as the need makes itself felt, follow up their work, and assist their action; (3) in a general way, to make all the decisions and take action in all that corresponds to the activity and aim of the Union (cf. art. 4, 5, and 6); (4) to name the Deputy Secretary General for three years.

VII. The Executive Committee

28. The Executive Committee is the animating organ of the Union and is composed of the President General, the two Vice-Presidents General, the Secretary General, and the Treasurer General. The Assistant General, the Deputy Assistant General and the Deputy Secretary General have the right to take part in the meetings but do not vote.

29. If a member of the Executive Committee should die, or if her office in her institute should terminate, her place shall remain vacant until the next meeting of the General Council.

30. The Executive Committee shall meet every two months and every time that business requires.

31. When a member is prevented from assisting at a meeting, she shall not be replaced.

32. The activity proper to the Executive Committee is to: (1) gather the necessary information and documentation; (2) provide information for the Superioresses General and the National Unions of Major Superioresses by various means, such as bulletins, circulars, correspondence, and personal contacts; (3) convoke the General Council and the General Assembly at the time required and prepare the meetings; (4) carry into effect the decisions of the General Council: (5) submit the acts of the General Assembly to the Sacred Congregation for Religious and, after their approval, send them to all the Superioresses General: (6) stimulate and control the work of the Commissions; (7) collect the contributions and administer the property of the Union under the control of the General Council; (8) dispatch current business.

VIII. The Permanent Secretariate

33. A Permanent Secretariate ensures the secretarial service necessary for the working of the Union. It is immediately dependent on the Executive Committee.

34. The Permanent Secretariate is composed of the Secretary General who is helped by a Deputy Secretary and also several other secretaries who are named by the Executive Committee.

35. The Secretariate shall keep the archives of the Union up to date.

IX. The Special Commissions

36. The General Council of the Union may set up special commissions to which it will entrust the examination of special questions.

37. The members of the special commissions shall always be Superioresses General but these should, as a rule, invite experts, either religious or others, to take part in their work.

38. The special commissions are permanent or provisional. In either case, they may be dissolved by the General Council.

Administration

39. The members of the Union shall pay an annual contribution. to defray the expenses of the Union and especially of its Secretariate. The amount shall be fixed by the General Assembly.

40. A fund for standardization should be established in order to help the delegates and the General Councillors of distant countries to take part in the General Assemblies and in the meetings of the General Council.

41. The financial administration of the Union is entrusted to the Treasurer General, who shall render an account of her management to the General Assembly. The control of ordinary expenses is assured by the Executive Committee, and that of extraordinary expenses by the General Council.

Given at Rome, the 6th day of December, 1965.

(Private); S. C. Rel., Prot. No. AG 2114/60; while both documents carry the same protocol number, the statutes are dated 6 Dec., 1965, but the decree of erection is dated 8 Dec., 1965.

All the first occupants of the various offices listed in the statutes were named and appointed by the S. C. Rel. in a decree dated 6 Jan., 1966, Prot. No. AG 2491/66.

International Union of Superioresses General: Purpose and Religious Renewal (Prefect, S. C. Rel., 12 Mar., 1967) Private.

The following discourse was given by Cardinal Antoniutti at the final session of the 1967 meeting of U. I. S. G.

Today we are concluding the important assembly which you have held in Rome, where you have been called from every part of the world for a constructive study of the Conciliar decisions, so as to apply them to the religious life of your institutes. By this assembly you, the Delegates of all the Superioresses General, have shown the spirit which animates and assists you to carry out the directives of the sacred Hierarchy, with which you are the loyal collaborators in the apostolate of the dioceses, working intensively and with all solicitude in those tasks which the Church has entrusted to your zeal and to your competence.

Your reunions, prepared with praiseworthy care and skillful study by the Mother President and her capable and active collaborators, began "under the shadow of Peter" with a solemn liturgy in the Vatican basilica; they have been enlightened by the venerable words of the Holv Father| who received you with

| 7 Mar., 1967 (AAS 59-339); English version in *Bulletin of U. I. S. G.*, special issue (Mar., 1967)–3–7; *The Pope Speaks,* 12 (1967)–114–117.

such paternal benevolence; they were carried out in an atmosphere of fraternal charity and of mutual understanding under the guidance of competent masters who gave you practical and interesting conferences as well as sound instructions which will be a valuable rule for the application of the decree. *Perfectae caritatis,* and of the *motu proprio, Ecclesiae sanctae.*[2]

As Prefect of the Sacred Congregation for Religious, I am glad to rejoice with you for the splendid assurance of religious vitality which you have given, for the deliberate determination you have shown to direct your work in the light of Conciliar teaching, and for the love and submission with which you have received the directives of the Church whose beloved daughters you are.

I
THE INTERNATIONAL UNION OF SUPERIORESSES GENERAL

1. The Need for the Union

The Conciliar decree, *Perfectae caritatis,* states lhat the variety of religious institutes constitutes magnificent wealth for the Church who appears arrayed in the variety of gifts received from her children. The closer and more fervent their union, the richer will be the life of the Church, and the more fruitful her apostolate.

Therefore, the identity of purpose and of ideal, uniformity of aim and similarity of aspiration should be found in a religious institute better than in any other class of persons; all its members must be bound by the same rules, follow the same way of life, have but a single administration, wear the same habit, and be called by the same name of Brother or Sister.

But this fraternity which is so edifying and exemplary among the members of religious institutes in any given region, takes on a wonderful significance when it is to be found among institutes of different nations, of various races and of distinct civilizations. 'l'he members of religious institutes become in this way the visible manifestation of the universal Church and convey, by their diversity, the wealth of a common patrimony of faith and charity which sustains, supports and diffuses them.

It is necessary, therefore, to unite in order to know one an-

[2] Reported above, pp. 264-298.

other ever better; to know one another, so as to love one another; to love, in order to combine forces and render the apostolate more efficacious; to render the apostolate efficacious, so as to render fuller service to the Church.

It was for this that the International Union of Superioresses General came into being. When, on December the 8th, 1965, the Second Vatican Council was brought to a solemn conclusion, it opened out like a flower bearing with it the fragrance of the Immaculate Mother and the riches of the Pope's and Bishops' blessing, and this Union may be considered as the Council's first fruit for religious life, since it is a fruit of innocence and purity, the fruit of prayer and love, enriched with holy intentions and the foreshadowing of fruitful works by all the consecrated virgins of the world.

The variety and abundance of the numerous religious institutes which you represent, require a mutual and close union between them; for this is not typified by the social aspect alone, which today requires the joining up of all the forces, but has become a real need demanded by an urgent spiritual emergency.

Religious institutes may not ignore the social structure of the diverse associations and enclose themselves in the particularities of their own activities. Since they are an important part of the Church, their activities assume a universal dimension; thev must show themselves ready for every sound openness and. feeling the responsibility of the work to be accomplished, ever in perfect harmony with the directives of the Church, they must take care to unite the means they dispose of, so as to achieve the end thev wish to attain.

Since man is a social being needing to live and work together, to suffer and to rejoice with others, religious institutes, which derive the fullness of their spirit from being composed of living persons, need not only to feel bound by a common desire but also to feel the support of mutual cooperation in a work done in common.

The experience of these years has shown that the union of religious institutes in various countries has been a powerful incentive to apostolic work and a salutary impulse to the intensification of the interior life. It is not a forced movement, given or imposed by authority, but a spontaneous and general impetus in

response to the need of religious souls who have received it gladly and strengthen it enthusiastically.

I will even say that the Union responds to a need in religious life which consists essentially in charity and by means of it the religious institutes evolve, increase and strengthen.

And this very necessary union is more than ever required today when the world's actual progress and its special situations promote frequent meetings and contacts, call for a change of outlook and common practical achievement.

It is, therefore, impossible to live isolated as in the past, while society, in order to attain its ends, is organizing itself into ever more vast, more extensive and more powerful associations.

Besides, if it is a duty in Christian life to unite the strength of individuals for the common good against the errors encroaching on the field of the Church, it is an impelling obligation for religious to join forces for the defense of the rights of the Church over souls and over societv.

And it belongs to the Church not only to recommend but to demand this union.

In the decree, *Perjectae caritatis,* (n. 23) it is clearly stated that: "Conferences or Councils of Major Superiors set up by the Holy See are to be encouraged. They have a great deal to contribute to the more perfect fulfillment of the goal of each institute, to fostering a more effective cooperation for the good of the Church."

The motive for the union of the religious institutes is the natural inclination which inspires them and urges them to draw near to God ever more closely' and hence to seek the means which lead to such an approach, beginning with the fraternal union which should bind all together in the bonds of charity. Therefore, the above-mentioned union is, as it were, an extension of the requirements of the religious state.

2. The Purpose of the Union

Hence we may infer the *purpose* of the Union which may be summarized under the following points:

1) to promote a better knowledge and fraternal understanding of the various institutes, creating an atmosphere of reciprocal trust and of mutual and generous assistance:

2) to publish, in agreement with the Sacred Congregation for

Religious, general indications to guide the institutes and control the apostolate according to the Conciliar decrees and the directives of the Holy See;

3) to promote and organize centers of spiritual formation, common institutes of culture, study reunions, congresses of religious activity;

4) to assist the national conferences of religious by promoting common action in Catholic Action and in the field of education and social assistance:

5) to ensure and strengthen the participation of the religious institutes in national or international organizations protected or recommended by the Church;

6) to strive for a press that is technically better drafted and more efficacious for the apostolate in every country, thus facilitating the fusion of local reviews of religious institutes by the national conferences;

7) active participation in manifestations of Catholic ecumenism promoted and supported by the ecclesiastical hierarchy, especially in works of a missionary nature;

S) mutual help in providing for common needs and to assist in a special way institutes in need of help;

9) to present a united and well-ordered front in the defense of the religious state against the opposition of enemies and against the insidious expectations of imprudent innovators.

But since religious institutes tend toward the state of perfection, the purpose of their union is above all to strive actively:

1) that they may not depart from the faithful observance of their Rule nor give themselves to practices or ways of life more or less incompatible with the fundamental principles of a life consecrated to God;

2) that they may not allow themselves to be deceived by the false illusions of an ambiguous renewal which is contrary to the principles and the essential ends characteristic of religious life:

3) that they may not yield to the temptations of the world which under pretext of bringing them up to date facilitates for them means of relaxation causing the neglect of certain practical observances which are intended to defend them from external dangers;

4) that they may preserve in living and keen fervor the spirit

that animates them, thus procuring an increase in holiness in their members;

5) that they may seek to advance together on the path of virtue and perfection in a vigorous production of the flowers of good works.

These ends, so ancient and yet so new, assume a character of deep-felt actuality and in the present circumstances they offer the possibility of making better known what things should be given up, changed, modified or added, corrected or perfected.

3. Characteristics and Advantages of the Union

The characteristics of the Union are, then, that it is an organism of the Church with a constructive program aiming at strengthening the peace, harmony and concord of the religious in the service of a holy cause and for the public good.

Therefore, the Union which came into being as the result of a generous decision of the Church, is at the disposition of the Church and at the service of its leaders, in a generous and entire dedication.

But, the institutes which are members of the Union do not forego any of their autonomy on that account, but preserve it intact in their internal government and in their liberty to carry out their own affairs under both ecclesiastical and civil authorities.

The liberty accorded to individuals who freely and spontaneously consecrate themselves to God is extended to their institutes in the autonomy they enjoy in their internal government.

This juridic il state of the Union which in its turn is a secure and intangible force, is reinforced by the charity which animates it, by the approval of the Church which directs it, and is entrusted to the direction of some Superioresses General who are elected and are representative of all the institutes, without dis- oi language, and assisted by technical and efficient secretaries.

I hus constituted, the Union of Superioresses General ensures positive advantages and benefits for religious life.

We cannot, indeed, be unmindful of the fact that problems of a religious, apostolic and juridical order present themselves, which a single religious institute would have difficulty in solving alone while the united cooperation of all can *do so* efficaciously.

I ne I nion of the religious institutes, which firmly retains the characteri>tic marks of each one and the aim of each in their

common apostolic work, constitutes an incomparable force under dependence on the Pope in the interests of the Church.

Speaking recently to the Superioresses General of Italy, the Pope said: "Religious life is not a Church apart; it is one expression of the only Church of Christ, and this may be said as much for the spirit that animates religious life as for its canonical organization . . . the peculiarity of their structure and of their spirituality seems to authorize in some a distinct conception, a condition of autonomous solidarity in the world of religious with respect to that of the ecclesial community."

And already in the decree, *Pcrjcclae caritatis,* the Council had stated: "Each institute must share in the life of the Church; it must make its own and foster as best it can her initiatives and directives ... in accordance with its special character" (no. 2).

Your Union which responds to a social community and religious need responds also to the program of action of the Council which was corroborated by the Pope and offers the Church a wonderful force for defense and expansion.

II
RELIGIOUS RENEWAL

1. Main Sources

In order that your Union may correspond to the expectation of the Church and "serve to consolidate the forces of religious institutes," it is necessary that Superioresses General should above all draw inspiration from the authentic teaching of the Council and listen to its voice which speaks with authority, so as to translate it into a practical and concrete reality.

When you wish to hear perfectly the transmission from some radio or television station, you try to tune in perfectly with the right wave length so as to avoid outside interference and hear clearly the limpid voice which carries the broadcast desired.

If you wish to receive the decisions of the Vatican Council in their genuine form, you must tune in to the real broadcasting station which is the Pope and the responsible organs through which he communicates, and you must avoid certain doubtful stations which transmit theories, opinions, criticisms and suggestions which are opposed to the letter and spirit of the Council.

One must, before all, attach great importance to the *magis-*

terium of the Church and meditate on the discourses of the Pope who has spoken strongly on many occasions about the highest ideals of the religious life.

"You know," he said last year to the Conventuals, "what a tumult of voices has been heard, even during this last year, about the traditional concept of religious life as if this very idea ought to be, as they say, set aside."

Drawing inspiration from the fundamental concept of consecration to God, one must remember how religious renewal must be based on evangelical principles.

Certain adaptations have been proclaimed and tried that did not adhere sufficiently to a theological foundation and compromised the stability of the institutes, causing confusion and disorders.

A tree which grows vigorously thrusts its roots deeply into the soil so as to resist hurricanes; so also an idea which develops, an initiative which is set in motion, or a movement which is spreading must all be based on sound principles so as to ensure the proper resistance.

Before all, it must be remembered, however, that it is a question of preparing and stabilizing a true renewal of spirit which, duly achieved, will of its very nature lead to a suitable adaptation to the conditions of life in the world of today and its particular needs.

The basic principle of this renewal should be the firm conviction that the gospel is the first foundation and the ultimate directive of life. And therefore religious must base all their activity on this principle, thus assuring that their whole being is entirely bound to Christ.

2. Loyalty to the Founders

The renewal of the religious life willed by the Council is not a simple adaptation to the outward requirements of the present world, but a renewed fidelity to that which it is in the Church and ought to be, namely, fidelity to the gospel from which religious life draws inspiration and with which alone it will be able to maintain its vital integrity.

The renewal of an institute does not consist in condescending to the spirit of the age but in inserting into the current of one's own activity whatever one meets that is good in the progress

of the actual world; it is therefore necessary to be aware of its particular conditions in order better to insert one's own apostolic activity. Indeed, there is no question of sacrificing religious life to the society of the day, but of adapting it ever better by means of the Church in its own adaptation to human vicissitude, because religious life needs the Church which has recognized it, sustains and protects it, and defends it, thus ensuring its expansion.

The renewal, then, must be made by going eagerly to the Church, as did the Founders. It is in this sense that the words of no. 2, d) of the decree, *Perjectae caritatis,* must be interpreted when it recommends institutes to form their members in such a way that they may be able "to discern wisely, in the light of faith, trends and situations in the world today, and according to the fervor of their apostolic zeal, to be able to help mankind more effectively."

The Founders raised up by God at definite periods for the service of the Church have taken every step with the Church, that is, with competent authority.

Religious cannot be authentic children of their Founders if they are not devoted sons of their institute which rouses, increases and makes fruitful love for the Church by which they were firmly founded.

The ecclesial spirit which constitutes the source of inspiration of Christian activity should, in religious, be associated with that of the institute which orientates and leads to the Church.

It is only a growth in love and a closer attachment to one's own institute that will give new strength to religious in their service of the Church, and this will bear the distinctive mark of the spirit of the Founders.

Every institute, therefore, should preserve its individual character. imitating the life, following the spirit and interpreting faithfully the mind of the Founder. But this does not mean that one must live today as the Founders lived; we must strive to make them alive again in the world today in all the freshness of their genius and the stimulus of their hearts.

It is not a question of continuing literally and mechanically what was prescribed by the Founders, but of applying the principles, the norms, laws, orientations of the Founders to the concrete circumstances of life today just as, if they were living now.

they would inspire another rhythm of life into their institute.

This demands that superiors should listen attentively to God as the Founders of their institute did, not only hear the word written in the Sacred Books, but the living word coming from the authority of the Church.

But when one speaks of a return to the spirit of the Founders, one must not pass for the spirit of the Founders that which is, perhaps, only a personal opinion or a private interpretation of facts and documents. That would mean to alter the rich patrimony of the origins of the institutes and weaken their consistencv.

3. Principles of Reform

Much has been said and is said about the progress or the promotion of religious life.

In treating of spiritual values, progressive promotion should be achieved by the increase of fervor which every soul that is consecrated and tending to perfection must strive to possess in order to account for her activitv.

In the order of technical formation, or that of culture or social service, progress is necessary but must be ordered, gradual and efficacious: "not to progress, is to regress."

Certain structures venerated for years, a certain formality and burdensome methods of formalism should inevitably undergo a change in contact with a world in continual rapid transformation. I repeat that these same Founders would revise their institutes today and would order them very differently. In a period in which in every sector of society new orientations demanded by the needs of the times are upheld, it would be a great mistake to retain antiquated methods.

It is not that religious life changes. That remains immutable in its interior integrity and always young in its fascinating freshness of the gift of God. But today we must face the problems of the world with responsible sensitiveness, with a contemporary awareness of their demands, and with a broad understanding of the needs of a society in a process of evolution and transformation.

The Holy Father said to the Augustinians: "The *aggiornamento* required by the new needs of the times should allow every religious to follow the Divine Model more easily. In this *aggiornamento* there is no question of conformitv with the world, but of a loving and sincere research for all that can encourage and

spread the presence, the example and the sacrificial life of Christ who was immolated for the glory of God and the salvation of the brethren."

I have already stressed the fact that religious institutes are an integral part of the Church and must remain always and only at her entire disposition. But precisely on this account we need a sure solidity, regular orientation and the possibility of an adaptation alert to every circumstance.

Therefore, it is not suitable and not permissible that institutes should be subject to individuals who, satisfied with the positive result of the past, are content to maintain the position acquired and put obstacles in the way of every, even reasonable, development.

If every healthy progress ought to be upheld and encouraged, that of religious institutes should be carried out with the support and the help of all who have the responsibility, whether as superiors or as members of the same; but it must be made cautiously, prudently, wisely, circumspectly, and with enlightened clear-sightedness.

"Do not allow yourselves to be dazzled," said the Holy Father to the Lenten preachers in Rome on the 6th of February, "do not let yourselves be dazzled by the quest for novelty . . . which, fostered through the pleasure of eccentricity and of conformity to an unorthodox way of thinking, penetrates here and there also into the ecclesial enclosure."

Reforms must be made under a controlled standard. The Sacred Congregation for Religious is the directive organ which ensures a precise orientation. It should be consulted in doubtful cases, and by following its reply, one may be sure of traveling by the right road. It is well to recall that before Vatican II there existed in the Sacred Congregation for Religious an office of *aggiornamento* for religious institutes. The title which has been given to the decree, *Pcrjectac caritatis,* had already been expressed by His Holiness, Pius XII, when in 1950' he pointed out to religious the way of "adapted renewal." Therefore, have confidence in the Holy See and in its authorized organs and follow fearlessly the path which they trace out for you, which is that of the right direction, and do not place your trust in certain private authors who are not well qualified or to some improvised

' Reported in Canon Law Digest, 3, pp. 119-131.

counselor for the occasion ignorant of the theological and disciplinary foundation of religious life.

And so, no religious institute may allow itself to be guilty of the abuse of introducing without authorization novelties which are in disagreement with the norms of canon law and with the spirit of the constitutions and do this under the specious pretext of making experiments in order to put themselves on the path to *aggiornaniento.* This must be carried out in an orderly manner and with the aim clearly fixed by the *motu proprio, Ecclesiae sanctae,* of following the lines of the decrees of the Council to correspond to the exigencies of religious life and not at the caprice of some restless soul.

III
THE FIELD OF RELIGIOUS RENEWAL

1. Interior Life

In this context the importance of the point raised by the Council on the primacy of the interior life is better understood. In fact, it alone can sustain and intensify that generosity which must characterize the lives of those who are consecrated to Christ in a special manner in order to live and work more intensely for His Church.

This being the purpose of the life of religious, it, as well as their apostolate, is destined to degenerate into a merely empty activity if they are not sustained, nourished and fed by an intense life of prayer, that is to say, by a constant union with God.

According to the Council, the spirit of prayer should not be understood as "devotionalism" but rather as a spiritual raising of one's soul which is nourished and strengthened by meditation on the eternal truths and the reading of Sacred Scripture and not from certain writings of private, disputable authors who have set themselves up as masters of the spiritual life without bearing in mind the doctrine of the Fathers and the wisdom of the Saints.

The spiritual life of religious also draws its consistency from and is built up by the Sacred Liturgy understood with a spirit of faith, lived out with intense love for the mysteries which it represents, practiced with scrupulous fidelity to the norms of the Church and neither corrupted nor debased by the extravagances of certain confused innovators. The same spiritual life is

strengthened by devout assistance at the Holy Sacrifice and by Eucharistic Communion, while it is gladdened and rejoices in a tender devotion to our Lady, the Queen of Virgins.

By stressing the necessity of this form and variety of personal prayer, the Council and the post-conciliar instructions teach us not to follow those unilateral schemes of the spiritual life which would tend only to public and community prayer. On the contrary, it has been clearly stressed that private mental prayer is absolutely indispensable in order to participate with greater intensity and surer understanding in the liturgy itself.

Take care, then, to cultivate the spirit of prayer in your communities, at the same time maintaining the beautiful tradition of daily setting apart a special time to intimate, recollected mental prayer. Seek also that the spiritual formation of your aspirants, novices and young professed be continued and ever deepened. It should be based on a scriptural, theological, liturgical and social formation; on a careful study of the history and spirituality proper to each institute as well as on its best traditions so that all your religious feel themselves bound by an ecclesial atmosphere and become ever more attached to their community.

Like this you will not be an anodyne or lifeless image of your Founders but you will continue their work in a living, visible manner by fulfilling their intentions and completing their program.

The above-mentioned formation of religious assumes today a special importance because it is directed to a life which explains all the secrets of consecration to God in chastity, obedience, poverty, and humble and generous sacrifice.

The Holy Father has proclaimed this year, the nineteenth centenary of the martyrdom of the Apostles Peter and Paul, "a year of faith."* Religious must be the first to reaffirm this by professing in their personal lives and in their public activity to see God everywhere: in the Church, in its Head, in its *magisterium,* in its decisions, in their neighbors, in the world, in the events which happen and which speak of His holy and sanctifying presence. In this lies the whole meaning of the consecration of religious souls.

Therefore, as the constitution, *Lumen Gentium* (no. 44). says: "They will ever be an ornament which adorns the countenance

* Reported above, p. 206.

of the holy Church of God and will manifest the heaventy good already present in this world."

2. Apostolate

But since the religious life is not a finality in itself, having as it does an intrinsic value and apostolic aim, it is proper that religious should know the world and its necessities. The decree, *Pcrjectac caritatis,* (no. 2, d) expressly requires it, pointing out, as we have seen, that such knowledge should be acquired "according to the criteria of faith," while methods of the apostolate should be adapted to the outside world.

However, knowledge of the world does not necessarily mean experiencing its life, nor adopting its manner of living and amusements while scorning the austerity and reserve which every religious life involves; for it must be remembered that to be in the world does not mean to be of the world.

The apostolate of religious is made fruitful by the intensity with which they live their consecration to God.

The Council did not accept those opinions according to which the religious life is nothing more than a form of life destined to promote and support the external apostolate. And religious, recognizing the true doctrine of the Council, must not let themselves be influenced by such teachings which put their very vocation into doubt by underestimating the value of a life consecrated to God and its formation in the Church and at the service of the Church.

In the work of adaptation, then, you must remember that it is not individual aims which must be satisfied; that it is not the currents of the times which must be followed. It is necessary to fix one's gaze on the collective good of the institute's members and the consolidation of the same. Therefore, it is not right to justify under pretexts of spirituality and apostolate what is nothing other than a personal and often arbitrary interpretation of the Conciliar decrees.

The adaptation of the religious life does not mean the indiscriminate acceptance of what lay people do. If we must approach them in order to understand them, it does not mean that we must not be or appear religious. On the contrary, we must intensify the religious spirit and live it out in all its fullness, even

in exterior forms, because the lay people expect to receive from religious those demonstrations of charity, innocence, poverty, dedication and humility which reveal the presence and the grace of God in souls consecrated to Him.

It is a specious deceit to believe that by hiding oneself under certain secular formalisms one can more easily approach worldly society. Virtue, goodness, purity have by their very nature such a charm that they impress while the frivolous vanities of the world, accepted and borne by a religious, end in disgusting people and compromising the religious' \vork.

It is well to recall the words which the Holy Father addressed to the Jesuits on last November 17th and which could be applied to some religious women: "Perhaps," he said, "it was the illusion of some that to defend the gospel of Christ, they thought it necessary to make their own the manners of the world, its mentality, its profaneness, by indulging in a naturalistic evaluation of modern-day custom, forgetting here, too, that the necessary, apostolic approach of Christ's herald to men, to whom His message must be borne, cannot imply such an assimilation that makes the salt lose its tangy flavor, the apostolate its original value."

3. Observance of the Vows

The doctrinal researches offered regarding the vows which are presented and called for by the Council in their positive aspect and in their profound significance of a more intimate association with Christ who, chaste, obedient and poor, redeemed humanity by the sacrifice of the Cross, should inspire, direct and sustain the religious life. Therefore, the vows free those who are consecrated to God from outlooks which are often too narrow, and open their hearts to that intensity of love which is truly sincere because it is pure; which manifests their complete disposability for others and detachment from all things.

This vision of the religious life proposed by the Council must become real and concrete. All those who have embraced it, then, must show with their life, their behavior, their spirit of sacrifice and generous renunciation of certain human values, their faith in the eternal values of the spirit.

It must not be forgotten that religious congregations are not experimental workshops. Therefore, you must not yield to the temptation of calling everything into question, to be ever seeking

novelties, because each change must be well founded and justified.

Obedience must not be reduced to that simply required for the common good, since obedience is essentially personal under the power of the superior in imitation of Christ's universal obedience to His heavenly Father. It is, in other words, a free and spontaneous sacrifice of one's own, knowingly made and generously offered. Superiors, in their turn, are not to abdicate their authority. The decree, *Perjectac caritatis,* is very explicit on this point and states that it pertains to superiors to supervise, direct and command, not making an abuse of the word "dialogue" in such a manner that their subjects believe themselves authorized to discuss things with superiors almost as though they were on the same level.

Subjects must be called to collaborate for the good of the institute and between them and their superiors a bond of spiritual union must be established as in a family united in the name of our Lord. The collaboration, therefore, which superiors should solicit from their subjects should be considered as a valuable help which is always at their disposition. They are bound in conscience to make use of it in order to make a decision and to create an atmosphere of understanding, of actual collaboration, of responsible participation in the life and welfare of the institute. In so doing, they bind ever closer bonds of fraternal love which redound to the benefit of the community.

The Council desires that a spontaneous and factual relationship should be established between superiors and subjects. It prescribes that the latter should be widely consulted in order to make use of their ideas and experiences, but always within the limits permitted by the right notion of authority and the just concept of religious obedience.

It is being naïve to believe that one should strip authority of those attributes and titles which explain its meaning in order to create an atmosphere of greater understanding. No word is more expressive than the word "Mother" to denote the love with which a religious family must be directed. No title is more incisive than the word "Sister" to signify the bonds of fraternity which must bind together the members of an institute. The command, in fact, must be surrounded by maternal warmth and common life must be based on a heartfelt fraternity.

4. Religious Habit

Finally, may I be allowed to mention this agitated and sometimes so badly interpreted question? What is stated in the decree, *Pcrjcctac caritatis,* on this point is clear enough to refute in full some exaggerations arbitrarily introduced against every norm of disciplinary adaptation to present-day circumstances. The quick reaction, even in different sectors of the laity, who desire to see the religious woman surrounded by that aureole which is proper to a consecrated soul, is the best appeal for a more cautious and intelligent experimentation.

Someone stated, even in the public press, that the Sacred Congregation for Religious should not concern itself with these details, but give its attention to more important matters. It is the duty of the Sacred Congregation for Religious to be concerned with all that contributes to the better formation of its subjects. It, therefore, does not neglect even certain details which may seem secondary, as moreover the Council itself has also done with an appropriate decision. Whoever is not foreign to the religious life knows very well that the question of the habit assumes its own particular importance in the formation of Sisters who must be distinguished for their modest and exemplary bearing. Tn this, the habit is an evident sign of the reserve and poverty of the life which they have embraced with a public vow for the service of God and their neighbor.

The Sacred Congregation, however, in its concern with Sisters' habits, is no less concerned with the serious problems which trouble religious institutes and with the crises which disturb some of them. On the contrary, it has noticed that such crises and troubles are more felt in those places where the religious habit has begun to be abandoned for it is not only a distinctive mark and a symbol, but likewise a protection.

PROFESSION OF FAITH

Seek, therefore, that the members of your institutes faithfully follow with conviction and enthusiasm the clear teachings of the Council, and that they develop a lively awareness of the unitive love which consecrates them to God and binds them more closely to the redemptive sacrifice of Christ.

Thus, Reverend Mothers, you and your religious daughters

will be able to render inestimable services to the Church in a disciplined submission to the Bishops. They must be always able to count on religious as their surest strength and the most elect portion of their flock.

Carry these recommendations to all the members of the religious institutes of your countries with my sincerest prayers that they remain faithful to their holy vocation, that they may give God much glory, and procure the welfare of many souls and the serenity of minds by maintaining their union in the bonds of peace.

And now. together, following the indication of the Holy Father, Paul VI, let us recite the Creed, that profession of our Catholic faith, on the nineteenth centenary of the glorious death of the Apostles Peter and Paul, in this Rome made holy by their preaching and martyrdom. May this profession of faith be an explicit affirmation of love and loyalty to Christ among the uncertainties and weaknesses of many who waver and fall. May it be a convinced and passionate reply to the appeal of the Pope who repeats to us with St. Peter: "Be steadfast in the faith." May it be a solemn act of fidelity to the Church, mother and mistress, and of complete adherence to her perennial *magisterium*. May it be a cry of reawakening in the ideological crisis which torments the world and even afflicts some religious. May it be a firm resolution for a more vigorous activity on behalf of souls, of a more complete dedication to one's neighbor, of a more intensive apostolic work for the kingdom of God.

THIS IS THE VICTORY THAT OVERCOMES THE WORLD, OUR FAITH.

(Private); Prefect, S .C. Rel., 12 Mar., 1967; reported in *Bulletin of U. /. S. G.*, special issue (Mar., 1967)–8–22.

International Union of Superioresses General: Statutes Revised (U. I. S. G., 8 June, 1967) Private.

The statutes of this Union which were originally promulgated on 6 December, 1965,[1] were partially revised as a result of the Union's 1967 meeting. Statutes 1-13 underwent no change; all the remaining articles were modified in varying degrees. The new text of these latter articles is as follows.

[1] Reported above, pp. 448—455.

14. In each country, one, two or three other Superioresses General shall be elected in the same way, to fill the place, in the General Assembly, of those delegates or the delegate, who might be prevented from assisting or whose office in their institute might terminate before the end of their mandate. In the countries where there is only one Superioress General, if she is prevented from coming to the Assembly, she shall delegate one of her Assistants, who will become her substitute. All the substitutes shall have the same right to vote as those whom they replace.

15. The delegates and their substitutes are elected for three years and mav be re-elected. For the whole of their mandate, the delegates will be the link between the General Council and the Superioresses General of their country.

16. The Superioresses General of each country may express their wishes, either at the time of the election of the delegate or delegates, or by correspondence. These wishes shall be sent to the Executive Committee at least three months before the General Assembly.

17. The General Assembly of Delegates shall meet every three years to elect the President General, the two Vice-Presidents, the Treasurer General and fifteen of the General Councillors, and to study the problems which fall within the competence of the Union.

18. The elections shall be made, in the first ballot, by absolute majority, and, if a second ballot is necessary, by relative majority. The results of the elections shall be submitted to the Sacred Congregation for Religious for confirmation. The newly-elected General Council shall not assume its functions until after the conclusion of the General Assembly.

19. The Assembly should proceed to study the following business: 1) hear the report of the activities of the General Council and its Executive Committee during the period since the last Assembly; 2) be acquainted with the work of the Special Commissions (cf. art. 35-37); 3) examine the wishes presented by the Delegates (cf. art. 16); 4) study the important questions arising at the moment regarding religious life and, should the occasion arise, submit the wishes to the Sacred Congregation for Religious; 5) present the wishes regarding the general procedure of the Union and the work to be undertaken during the period

following; 6) vote, by a majority of two-thirds, for the modifications in the statutes of the Union which it may judge should be submitted for the approval of the Sacred Congregation for Religious; 7) approve the accounts and the budget (cf. art. 40).

20. The acts of the General Assembly shall be submitted for the approval of the Sacred Congregation for Religious before being communicated to all the Superioresses General throughout the world.

VI. The General Council

21. The General Council, the directing organ of the Union, is composed of the President General, two Vice-Presidents General, the Secretary General and the Treasurer General, and twenty General Councillors.

22. The President General, the two Vice-Presidents General, the Treasurer General and fifteen General Councillors are elected by the General Assembly of Delegates and may be re-elected. The Secretary General and the other five General Councillors are appointed by the Sacred Congregation for Religious after consulting the President and the two Vice-Presidents.

23. All the members of the General Council should be Superioresses General in office, except the Secretary General who need not be one.

24. The President General, the two Vice-Presidents, the Secretary General and the Treasurer General should reside habitually in Rome, whereas the General Councillors shall be chosen from different countries, in such a way that the General Council represents the religious institutes of the whole Church.

25. The members of the General Council hold office for three years. If a Superioress General ceases to be so, she immediately loses her place in the General Council. If she was admitted to the Council by election, the General Council shall elect a new member during the next meeting unless the General Assembly of Delegates is to take place within six months. If it is a question of one of the five General Councillors who were appointed, she shall be at once replaced by the Sacred Congregation for Religious.

26. The General Council shall ordinarily meet in Rome, as a rule once a year. The Assistant General, the Deputy Assistant

General and the Deputy Secretary General take part in these meetings by right but do not vote.

27. If a member is prevented from assisting at a meeting of the General Council, she shall not be replaced.

28. The activity proper to the General Council is: 1) to decide which problems are to be submitted for study by the General Assembly or by the Special Commissions; 2) to create Special Commissions as the need makes itself felt, follow up their work and promote their action; 3) in a general way, to make all the decisions and take action in all that corresponds to the aim and the activities of the Union (cf. art. 4. 5, and 6); 4) to appoint the Deputy Secretary General for three years.

VII. The Executive Committee of the General Council

29. At the heart of the General Council, the President General, the two Vice-Presidents General, the Secretary General and the Treasurer General form the Executive Committee.

30. The Executive Committee of the General Council shall meet every two months and every time that business requires. The Assistant General, the Deputy Assistant General and the Deputy Secretary General take part in these meetings by right but do not vote.

31. The activity proper to the Executive Committee of the General Council is: 1) to gather the necessary information and documentation; 2) to provide information for the Superioresses General and the National Unions of Major Superioresses by various means, such as bulletins, circulars, correspondence and personal contacts; 3) to convoke the entire General Council and the General Assembly at the time required and prepare the meetings; 4) to carry into effect the decisions of the General Council; 5) to submit the acts of the General Assembly to the Sacred Congregation for Religious and, after their approval, send them to all the Superioresses General; 6) to stimulate and control the work of the Commissions; 7) to collect the contributions and administer the property of the Union under the control of the General Council; S) to dispatch current business.

VIII. Permanent Secretariat

32. A Permanent Secretariat ensures the secretarial services necessary for the functioning of the Union. It depends immedi-

ately on the Executive Committee of the General Council.

33. The Permanent Secretariat is composed of the Secretary General, who directs it with the help of the Deputy Secretary and several secretaries, appointed by the Executive Committee of the General Council.

34. The Secretariat shall keep the archives of the Union up to date.

IX. Special Commissions

35. The General Council of the Union may set up Special Commissions to which it will entrust the examination of special questions.

36. The members of the Special Commissions shall always be Superioresses General, but these should, as a rule, invite experts, religious or others, to take part in their work.

37. The Special Commissions are permanent or provisional. In either case, they may be dissolved by the General Council.

X. Administration

38. The members of the Union shall pay an annual contribution, the amount of which shall be fixed by the General Assembly, to defray the expenses of the Union and especially of its Secretariat.

39. A fund for standardization should be established in order to help the delegates and the General Councillors of distant countries to take part in the General Assemblies and in the meetings of the General Council.

40. The financial administration of the Union is entrusted to a Treasurer General, who shall render an account of her management to the General Assembly. The control of ordinary' expenses is assured by the Executive Committee of the General Council and that of extraordinary expenses by the entire General Council.

Given at Rome, 8 June, 1967.

(Private); U I. S. G., 8 June, 1067; reported in *Bulletin oj U. I.* 5. *G*, no. 5 (Aug., 1967)–20–24.

Acts of Special General Chapter to be Sent to S. C. For Religious (S. C. Rel., 4 Dec., 1967) Private.

The following notice was sent by the S. C. for Religious to the President of the Roman Union of Superiors General who, in

turn, was to communicate it to all members of the Union.

Your Paternity well knows with what concern religious institutes are engaged in promoting study of conciliar and post-conciliar documents pertaining to religious life and at the same time with what care they are engaged in preparing their respective Special Chapters and applying the decisions arrived at in those Chapters.

The eager initiative developed by the individual institutes which, as is known, aims to put into effect the wished-for renewal of religious life, has, however, demonstrated the need that the generous efforts and the experiments which have been brought in to achieve this purpose, should be made known in due time to this Sacred Dicastery which has the task to follow through on them and, if necessary, to uphold them.

As a result, this Sacred Congregation, while sustaining the force of the contents of the notice S. R. 1463/65[1] of last March 1st relative to the temporary suspension of the obligation to send in the quinquennial report, requests the President of the said Union to please inform all Superiors General of institutes of pontifical as well as of diocesan law that when the Special Chapter has been concluded, or when the two sessions have been concluded, if the Chapter is divided into two sessions separated by a considerable interval of time, they send to this Sacred Dicastery a copy of the acts of the Chapter if they have not already done so.

(Private); S. C. Rel., 4 Dec., 1967, Prot. N. A. G. 2553/67; translated from copy of the original kindly supplied us by the office of the President of R. U. S. G. With the copy came the observation that, although this notice is private in form, it is, nevertheless, part of public law.

A copy of this notice, with the same date and the same protocol number, was also sent by the S. C. for Religious to the President of the International Union of Superioresses General; reported in *Bulletin oj I. U. S. G.,* no. 7 (Feb., 1968)-2O.

Conferences of Major Superiors. See c. 222, Decree *Perfectae caritatis* on Religious Life, n. 23; AAS 58-702. Also c. 222, *Motu proprio,* 6 Aug., 1966, II, 42-43; AAS 58-757, and c. 487 ref., Allocutions of 16 May, 1966 (AAS 58-488) and 18 Nov., 1966 (AAS 58-1178).

General Chapters of Religious. See c. 222, *Motu proprio,* 6 Aug., 1966, II, 1-9; AAS 58-757.

[1] Reported below, p. 479.

International Union of Superioresses General: .Allocution of Paul VI, 7 Mar., 1067 (AAS 59-339). English version in *The Pope Speaks,* 12 (1967)-114-117.

Italy: Major Superiors of Religious Women: Allocution of Paul VI, 12 Jan., 1067 (AAS 59-131).

Special Faculties of Certain Superiors General and Abbots. See c. 66; Sec. St.. 6 Nov., 1964.

Special Faculties of Superiors General of Pontifical Lay Religious Institutes. See c. 66; S. C. Rel., 31 May, 1966.

CANON 504

Impediment of Illegitimacy Suspended (S. C. Rel., 17 Mar., 1967) Private.

The following notice was sent out by the U. S. Apostolic Delegate to the Conference of Major Superiors of Religious Women.

The Sacred Congregation for Religious recently petitioned the Supreme Pontiff to suspend the prohibition of canon 504 of the Code of Canon Law which prevents illegitimates from being elected major superiors in religious institutes. The request was made in order to avoid invalid elections or the necessity of bringing occult cases to light.

In a letter dated 17 March, 1967, the Sacred Congregation has informed me that the Holy Father has graciously granted this request, at least until some other disposition may be provided for in the New Code of Canon Law, so that the force of this aspect of canon 504 is now suspended, but with the following limitation: "non autem pro prole adulterina et sacrilega in casibus publicis. In casibus vero occultis recurratur ad S. Sedem."[1]

(Private); S. C. Rel., 17 Mar., 1967, Prot. N. 1477/67; reported in notice from U. S. Apost. Del., 11 Apr., 1967, Prot. N. 1370/67. Annotations in *Commentarium pro Religiosis,* 46 (1067)—186—193 (Gutierrez Martin) where it is noted (p. 186) that the original of this reply was sent to the Prefect of S. C Rel. by the Secretary of State, 23 Feb., 1967, Prot. N. 89586.

[1] "not however for adulterine or sacrilegious offspring if the case is public. However, if the case is occult, recourse is to be had to the Holy See."

Offspring are classified as: 1) *adulterine* if one or both parents are prevented from valid)} marrying one another because of the existing bond of an existing previous valid marriage; 2) *sacrilegious* if one or both parents, even if validly married to one another, arc barred from use of marital rights because of the impediment of solemn religious profession or sacred Order (cf. canon 1114).

CANON 505

Faculty to Confirm Local Superior for Third Term. Sec c. 66; Sec. St,, 6 Nov., 1964, n. 19; S. C. Rel., 31 May, 1966, n. 8.

CANON 507

Active Voice Conferred Where Particular Law Had Debarred. See c. 167; S. C. Rel., 11 June, 1965.

CANON 510

Religious Men: Quinquennial Report Obligation Suspended; Acts of Special General Chapter (S. C. Rel., 1 Mar., 1967) Private.

The following was addressed to the President of the Roman Union of Superiors General of Religious Men.

This S. Congregation has taken into account the labors which the actual moment brings to religious communities particularly in view of the Special General Chapter. As a result, with the intent of not aggravating the situation, this Congregation has judged it opportune *to suspend temporarily* the sending of the quinquennial report until further notice.

In the meantime, it will see to the formation of a new questionnaire which will better correspond to the desires of all which have been made known to this S. Dicastery on many occasions.

Moreover, without prejudice to the obligation to send to this S. Congregation the acts of the *Ordinary* General Chapter of religious institutes of pontifical law, it is not necessary to send the acts of the *Special* General Chapter, although it is to be kept in mind that, as prescribed by the *motu proprio, Ecclesiae sanctae,*[1] recourse must be had to the same S. Dicastery for definitive approval of new constitutions after termination of the experimental period.

At the same time that the S. Congregation informs you of these provisions, it requests Your Paternity, in your capacity as President of the Roman Union of Superiors General, to communicate

[1] Reported above in this volume, p. 264.

them as soon as possible to all Superiors General of Orders and Congregations so they will have timely knowledge and guidance.

(Private); S. C. Rel., 1 Mar., 1967, Prot. N. S. R. 1463/65; reported in *Commentarium pro Religiosis,* 46 (1967)-406.

Note: As regards the above provision relative to the acts of the Special General Chapter, see above, p. 476.

Religious Women: Quinquennial Report Obligation Suspended (S. C. Rel., 1 Mar., 1967) Private.

The following notice was sent out by the U. S. Apostolic Delegate to the Conference of Major Superiors of Religious Women.

In a letter dated 1 March, 1967, the Sacred Congregation for Religious has informed me that in view of the renewal of the constitutions now being carried out by all religious institutes, the *Holy See has decided to suspend the obligation oj submitting the quinquennial report* until further notice.

This ruling applies to religious institutes of pontifical and diocesan right, as well as to autonomous foundations.

(Private); S. C. Rel., 1 Mar., 1967, Prot. N. 1463/65; reported in notice from U. S. Apost. Del., 11 Apr., 1967, Prot. N. 1372/67.

Annual Report No Longer Required. Although no official abrogation has been or is expected to be made to this effect, we arc informed by a reliable source at Rome that the fact is that the Sacred Congregation for Religious no longer requires the annual statistical report.[1] The Sacred Congregation will accept such reports but actually prefers not to receive them and is no longer giving out forms for this report. *No change* has been made regarding the prescriptions on the *quinquennial report.*[2]

CANON 514

Faculty to Grant Confessional Jurisdiction. See c. 66; Sec. St., 6 Nov., 1964, n. 12.

CANON 516

Procurators: Paul VI, Allocution to special convention of National Center for Catholic Procurators, 9 May, 1966; reported in *L'Osservatore Romano,* 11 May, 1966; English version in *The Pope Speaks,* 11 (1966)–336–338.

1 See Canon Law Digest, 3, pp. 162, η. IX, and 207-212.
2 See Canon Law Digest, 3, pp. 158-207.

CANON 526

Term of Ordinary Confessor: Fourth and fifth. See c. 329; Paul VI. 30 Nov., 1963, n. 33.

CANON 534

Faculty to Permit Alienations, Debts, etc. See c. 66; Sec. St.. 6 Nov.. 1964, n. 9; S. C. Rel., 1966, n. 2; c. 267; U. S. Apost. Del., 6 Jan., 1965; c. 329; Paul VI, 30 Nov., 1963, n. 32.

New Limit Values for Alienation and Debts in terms of Swiss francs. See c. 1532; AAS 55-656.

Values in Various National Currencies, fixed by respective Conferences of Bishops. See c. 66, private, undated.

CANON 538

New Orientations for Updating the Postulancy and Noviate in Sisterhoods (S. C. Rel., 7 Mar., 1967) Private.

The following document was issued over the signature of the Secretary of the S. C. for Religious. It is entitled: *New Orientations oj the Sacred Congregation for Religious of the "Aggiornamento" of the Postulancy and Novitiate.*

Before the discussion of the General Assembly of the I. U. S. G.[1] on the problems of formation which present themselves in the religious institutes of women, the Sacred Congregation for Religious would like to help the Superiors General here present by bringing to their attention its experiences and its new orientations in the matter of postulancy and novitiate.

I. Postulancy

Canons 539 and 540 set down that in institutes of women, before the novitiate, six months or, at most, one year must be given to the postulancy either in the novitiate house or in another house of religious life under the spiritual guidance of a mistress.

In most institutes the postulancy is conceived purely and simply as part of the novitiate with this unique and almost sole difference: that the postulants do not as yet wear the religious habit of the novices. In practice, the postulancy is but a prolongation of the novitiate by six months or more.

[1] See above, p. 455.

In view of this situation, institutes .have asked to set up a "pre-postulancy" which would place "aspirants" in contact with the real apostolic life of the institute and which, therefore, would be spent in one of the houses where the works of the institute are in full operation. In this way the aspirants enter the postulancy knowing the life which they will live when they will have made perpetual vows and, on the other hand, superiors can directly ascertain whether these young people really have the required qualities for this manner of life. Thus envisioned, the "pre-postulancy" really is what the postulancy is expected to be: a time of testing the vocation in the works of the community before taking the habit and entering the novitiate.

Instead of this, would it not be better to "reconsider" the postulancy itself? That is what the Sacred Congregation for Religious thinks.

Henceforth, it is the postulancy which ought to be conceived as a testing period of the vocation by engagement in the works of the institute. In this way it will in fact be a time of spiritual and religious initiation. However, this postulancy will constitute a group apart — The Postulancy — under the spiritual guidance of a mistress and will last from six months to a year as was called for by canons 539 and 540. Naturally, the duration of the postulancy can be prolonged in a given case.

Since this does not concern an "experiment contrary to common law," the Special General Chapters may therefore hereafter view the postulancy in this manner without being obliged to ask authorization from the Sacred Congregation for Religious.

II. Clothing

Too often for the families and even for the Sisters, the "reception of the habit" has a greater importance than the profession. And it simply must be said that in many institutes the ceremony of clothing is more solemn than that of profession.

The significance given to "religious consecration" by the Council is an invitation to an "updating" of the ceremonies of clothing and profession.

The Commission for the Implementation of the Constitution on the Sacred Liturgy is prepared to formulate a ceremonial for religious profession.

As for the "reception of the habit," the Sacred Congregation for Religious is of the opinion that it should be reduced to a private ceremony in the oratory of the novitiate or in the chapel but without the presence of the family and without the presence of ecclesiastical authorities and, especially, without solemnity.

III. Canonical Year of Novitiate

It is proper that the canonical novitiate retain as its characteristic "a year of spiritual and religious formation." Canon 565 summarizes in a few lines a tradition which goes back to Saint Benedict and which, after adoption by the Church in the Council of Trent, inspired the novitiates of all institutes whether they be engaged in education, health care or missionary activity: initiation into the life of prayer, education in religious virtue, study of the constitutions — all this under the direction of a Mistress of Novices.

For some years, "updating" of the program has been undertaken in most institutes but it will have to be perfected in the light of the decree, *Perfectae caritatis,* and of the *motu proprio, Ecclesiae sanctae:*[2] reading of Sacred Scripture, study of the theology of religious life, knowledge of the life and spirit of the founders, formation to the apostolic spirit of the institute *(Ecclesiae sanctae,* η. 16). Besides, it will be necessary to adapt the novitiate to the type of life and the spirituality of each institute (cf. *Ecclesiae sanctae,* η. 33).

Nevertheless, the novitiate must remain a year *exclusively* consecrated to this religious and spiritual formation and novices must constitute — as in the past — a "separate group" as is required by canon 564. This is the condition "sine qua non" for the very existence of the novitiate: "to change the old man into the new" — the traditional significance of the investiture — and also to learn the rudiments of the "science of the Saints." To bring about this profound transformation, a year is not too much and if it is passed in a hurried or interrupted way, it will be impossible to undo the harm as Pius XI said: "to make a poor novitiate is to build on sand."

The Sacred Congregation for Religious is, therefore, against the introduction during the year of novitiate, of any period what-

[2] Reported above in this volume, p. 264.

soever (some thought of one or two months) of apostolate, either leaving the novitiate or remaining in it, even if the time of the novitiate were prolonged by an equal amount of time. We shall see shortly that one or other of the novices or even all the novices could be sent to a house where the works are being done, once the canonical year has been completed, but there can be no question of interrupting this year.

Let us add that such a period of practical exercises in the works is not necessary during the novitiate since provision is made for such experience during the juniorate in the *motu proprio, Ecclesiae sanctae,* η. 36, and since the postulancy is actually seen as a time of trial in a house of the apostolate.

It is well understood that during the canonical year of the novitiate, it is not forbidden and it can even be recommended that provisions be made for contacts between novices and the sick or old people in the hospitals of the institute or with the children in places where the religious are teaching, but this contact is had *as a form of relaxation* with a view to formation for apostolic work.3

IV. Interruption of the Novitiate

For the duration of the time it takes to revise the Code of Canon Law, the S. Congregation for Religious will "willingly" grant, as an "experiment contrary to common law" *{Ecclesiae sanctae,* η. 6), to any institute which requests it, that a novice who would have interrupted her novitiate by more than thirty days for a personal reason, for example, reasons of health, need not remake the canonical year as is demanded by canon 556, § 2/ but she can supply the days of absence provided that they do not exceed two months.

V. Second Year of Novitiate

With a postulancy understood as a trial of one's vocation in the works and with a juniorate consecrated to apostolic, theoretical and practical formation, the second year of novitiate no longer has the same importance it formerly had.

Translator's Note: The English version distributed to delegates to I. U. S. G. reads otherwise: "as a form of relaxation *and not* with a view to formation to apostolic works." (Italics ours.) The French text also contains the negative qualification.

4 Translator's Note: This is the reference given in the text; it should be: can. 556, § 1. The idea of supplying the time of absence comes from § 2.

So the S. Congregation for Religious has conceived the following "aggiornamento":

1) Instead of a "second year" which is obligatory for all novices of the institute and requires a full year after the canonical year, the latter would be extended for a longer or shorter period (from one month to a year and, perhaps, even more in an exceptional case) *for each novice* according to the judgment of the superiors responsible and even, of course, at the request of the novice herself.

2) This prolongation could take place *either in the novitiate* without changing the manner of living (this especially in cases of novices who are not sufficiently mature either because they entered too young, or because they are too recently converted), *or in the juniorate* with the possibility of beginning studies as though the novice were working *in a house where the works are carried on* (with other novices in the same situation, if it is possible, and always under the direction of a religious responsible for their spiritual formation). Each time that a novice is thus sent outside the novitiate, she must be called back one or two months before her profession.

In such a case it will no longer be a matter of "second year of novitiate" in conformity with the instruction given by the S. C. Rel., 1921,5 but of a *prolongation oj the novitiate* destined to dispel any doubt which may yet remain as to the vocation of a novice by giving her a trial in another milieu than that of the novitiate or juniorate, or by completing within the novitiate a religious and spiritual formation which was inadequate. It is to be understood that institutes which wish to retain the second year as before, are free to do so.

An institute which so desires can also decide that after the canonical year, all the novices, grouped together under the guidance of a responsible mistress, should spend two or three months, or even more, in a house where the works are carried on, provided that thev return to the novitiate one month before their profession.

These different ways of viewing the prolongation of the canonical novitiate may be studied by the Special General Chapter. Whatever it adopts as best for them can be introduced

'Reported in Canon Law Digest, 1, p. 302.

"by way of experiment" without need of having recourse to the Sacred Congregation for Religious.

VI. First Profession and Temporary Vows

1) *Time and place oj the first projession*

When the novitiate, with all the modalities of prolongation reviewed above, is completed, the novice is admitted to pronounce her temporary vows for the first time.

The S. Congregation for Religious is disposed to grant, without difficulty, to institutes which will ask, as experiments contrary to canons 555, §§ 1 and 2, and 574, § 1, that the first profession be made on the anniversary of the taking of the habit (and not any longer the next day) and outside the novitiate house, and even, if need be, outside a house of the institute, for example, in a parish church. As a result, profession will not necessarily be any longer linked to a liturgical ceremony.

2) *Duration of temporary vows*

Tn the prevailing state of jurisprudence, the duration of temporary vows is, in most cases, five years and is divided into at least two periods: three and two years, or two and three years, or, again, in periods of one year. It is always possible, without special authorization from the Holy See, to prolong the temporary vows for a sixth year (can. 576, § 2).G

Some institutes have asked and obtained authorization "to experiment" by continuing the temporary vows to seven years. They claim that this is necessitated by the formation to be given in the juniorate: three years of professional formation (to receive diplomas as teachers, nurses or social workers), one year of practical training in the life doing the works of the institute, and two years of theological formation in preparation for perpetual profession.

However, this prolongation is not absolutely required because the formation of the young Sisters could be completed after perpetual profession and, consequently, outside the framework of the juniorate as is the case in the formation of clerics in religious institutes of men: the young religious clerics make perpetual profession one, two or three years before having terminated their theological studies and having been ordained priests.

OShould be: can. 574, § 2.—Tr.

Other institutes, really few in number, have asked to reduce to three years the time required for temporary vows with the possibility of prolonging up to three years for the young professed who would need it. It was purely and simply a request to return to canon 574, § 2. The Sacred Congregation for Religious did not judge it could grant this, knowing from the experience acquired by contacts with a large number of Superiors General that five years are really necessary for the majority of cases.

Some Superiors General have then asked if, while normally maintaining five years, they could obtain the faculty to dispense from one or two years, even more, those young professed who are especially well formed. The S. Congregation for Religious has always refused, as much to avoid that the Sisters so dispensed think themselves better than the others, as also to prevent Major Superiors, tormented by the need for personnel, from dispensing too easily from some years of formation Sisters who may need it more than at first appears.

As a result, the S. Congregation for Religious thinks it preferable to maintain at five years the time fixed for temporary vows in the institutes of women with the possibility of prolongation for one year without special permission from the Holy See. Besides, it will willingly grant to institutes which ask for it, by way of "experiment contrary to common law," the faculty for Superiors General to prolong still more the time of temporary vows hut not for more than two years. Thus the total maximum of prolongation would be two or, in an exceptional case, three years.

In evaluating all these solutions to the problem of the length of temporary vows, it is necessary that Superiors General consider also the increasing difficulty there is of refusing a religious permission to make perpetual profession as the years slowly pass. It is a question of charity, even of justice, toward her not to continue to allow her to renew her vows if there remains a serious doubt on her admissability to perpetual profession. It is very rarely that time betters things and often the Sister is finally admitted to perpetual profession because it is not possible to send her back into the world.

These new orientations have been approved by His Eminence, Cardinal Tldebrando Antoniutti, Prefect of the Sacred Congregation for Religious.

(Private); S. C. Rel., 7 Mar., 1967; translated from the Italian text reported in *Commentarium pro Religiosis,* 46 (1967)-407-411. Annotations in *Review for Religious,* 26 (1967)—1026—1033 (Gallen).

New Orientations: Force of (S. C. Rel., 12 Oct., 1967) Private.

The following was sent to the President of the International Union of Superioresses General.

Questions have come to this Sacred Congregation as to what force is to be attributed to the "New Orientations of the Sacred Congregation for Religious for the 'Aggiornamento' of the Postulancy and Novitiate,"[1] published on the occasion of the General Assembly of the I. U. S. G.[2] last March.

Taking advantage of this inquiry, the Sacred Congregation believes it opportune to specify exactly that the norms communicated to the Superioresses General have, as appears from the very title, an orientative value. As is obvious, this same Sacred Dicastery did not intend to place restrictions on the provisions of the *motu proprio, Ecclesiae sanctae.*[3]

Consequently, in accord with the terms of the cited *motu proprio* and within the limits therein set down, General Chapters can adopt other experiments and solutions.

The Sacred Congregation for Religious will take under due consideration proposals which are contrary to the prevailing common law and which, nevertheless, will seemingly contribute to a true updating of candidates for the religious life.

(Private); S. C. Rel., 12 Oct., 1967, Prot. N. S. R. 1483/67; reported in *Commentarium pro Religiosis,* 46 (1967)–412.

Decadent Institutes: May be forbidden to accept novices. See c. 222, Decree on Religious Life, n. 21.

Prudence in Seeking Vocations. Sec c. 222, Decree on Religious Life, n. 24.

* Reported above immediately before this document.

2 See above, p 455.

3 Reported above in this volume, p. 264.

CANON 539

Postulancy: Reconsideration of its purpose. See c. 538; S. C. Rel., 7 Mar., 1967, I.

CANON 542

Dispensation From Impediments: Some faculties. See c. 66; Sec. St., 6 Nov., 1964, n. 7; S. C. Rel., 31 May, 1966, n. 1.

CANON 547

Dispensation From Dowry. See c. 329; Paul VI, 30 Nov., 1963, n. 37.

CANON 553

Clothing Ceremony: See c. 538; S. C. Rel., 7 Mar., 1967. II.

Religious: Formation according to Vatican II. See c. 222, *Motu proprio,* 6 Aug. 1966, II, 33-38; AAS 58-757.

Lay Brothers *(conversi)*; the common life. See c. 222, *Motu proprio,* 6 Aug., 1966, II, 27; AAS 58-757.

CANON 554

Transfer of Novitiate: Faculty to permit. See c. 66; Sec. St., 6 Nov., 1964, n. 18; S. C. Rel., 31 May, 1966, n. 7.

CANON 555

Second Year of Novitiate. See c. 538; S. C. Rel., 7 Mar., 1967, V.

CANON 556

Canonical Year of Novitiate: Absence over thirty days. Sec c. 538; S. C. Rel., 7 Mar., 1967, IV.

CANON 558

Acceptance of Lay or Clerical Candidates. See c. 222, Decree on Religious Life, n. 15.

Lay Brothers: To be brought more closely into life and work of Institute. See c. 222, Decree on Religious Life, n. 15.

Transfer of Novice from One Class to Another: A man was admitted as a cleric candidate and, after eight months of novitiate, transferred to the status of lay Brother and began his novitiate anew. A dispensation was requested and obtained from the last five months of the year of novitiate as a Brother. S. C. Rel., 13 Nov., 1965, Prot. N. 17931/65.

CANON 564

Religious: Coadjutor Brothers *(conversi)* according to Vatican II. See c. 222, *Motu proprio,* 6 Aug., 1966, II, 27; AAS 5S-757.

CANON 565

Novitiate Training. See c. S38; S. C. Rel., 7 Mar., 1967, III.

CANON 574

Admission to Perpetual Vows of Religious Not Certainly Exempt From Call to Military Service (S. C. Rel., 22 May, 1964) Private.

Petition. The secretary of the association which in German is called "Vereinignung Deutscher Ordensobern" humbly requests that major superiors of religious men who are bound to ordinary military service by the civil law of Germany, be given the faculty to admit to perpetual vows, whether simple or solemn, subjects who have been sufficiently tested, who have completed their twenty-fifth year of age, and who have not yet been called to military service, even though in a particular case a definitive judgment on their state of freedom from ordinary military service cannot be made?

Moreover, a petition is humbly made for a sanation of the profession of those who have been invalidly professed by a mistaken use of faculties heretofore granted (S. C. Rel., 01577/58).

Reply. By virtue of faculties granted by our Holy Father,

1 Cf. Canon Law' Digest, 4, p. 91, art. 2.

the Sacred Congregation for the Affairs of Religious, after having attended to the recitals, graciously grants *jor five years* the favor as requested if the circumstances and moral certainty have lasted for the length of time in the petition. A sanation is given for everything in the past which can be sanated and which needs sanation.

All things to the contrary notwithstanding.

(Private); S. C. Rd., 22 May, 1964, Prot. N. 6378/64; reported in *Archiv fiir katholisches Kirchrecht,* 133 (1964)–125.

CANON 581

Religious: Patrimony renounced after simple vows. See c. *222. Afotu proprio,* 6 Aug., 1966, II, 24; AAS 58-757.

CANON 583

Donation by Voluntary Deed of Conveyance: Faculty to permit. See c. 66; Sec. St., 6 Nov., 1964, n. 16; S. C. Rel., 31 May, 1966, n. 5; c. 267; U. S. Apost. Del., 6 Jan., 1965.

Last Will and Testament: Faculty to allow alterations. See c. 66; Sec. St., 6 Nov., 1964, n. 17; S. C. Rel., 31 May, 1966, n. 6; c. 267; U. S. Apost. Del., 6 Jan., 1965.

Renouncement of Inheritances: May be permitted by Constitutions of religious Congregations. See c. 222, Decree on Religious Life, n. 13.

CANON 587

Religious at State or Nonconfessional Universities and Associated Residences: Authority of local Ordinary. See c. SOO; S. C. Rel., 11 Jan., 1967; U. S. Apost. Del., 24 Jan., 1967.

CANON 593

Experimental Provisions Contrary to Law Allowed (S. C. Rel., 17 Aug., 1967) Private.

Petition: The Minister General of the Order of Friars Minor, prostrate at the feet of Your Holiness, humbly sets forth the following:

The General Chapter, O. F. M., which was recently held, ap-

proved the following norms which are contrary to law, sc.,

1. *Regarding the choral recitation oj the Office:*

"According to a command of the Rule, all Friars recite the Divine Office. Where Friars live together or come together in any manner, the Divine Office should be their common prayer and, ordinarily, should be performed in common, without prejudice to the freedom of the lay Brothers to recite the Office "Our Father" prescribed by the Rule. The common recitation of the Divine Office does not pertain to a particular place but to the community. Nevertheless, as a rule, a church is to be preferred both because it is a sacred place and because in a church more effective witness of prayer can be given to the People of God. With the consent of the Minister Provincial, it is up to the conventual Chapter to determine the time and other circumstances for the Eucharistic celebration and for prayer in common, whether there be question of the Divine Office, or of the Word of God, or other forms of celebration which are consonant with the nature of the Order. The chanting of Lauds and Vespers with the people is to be promoted in churches of the Order."

2. *Regarding the religious habit:*

"According to the Rule and the traditional practice of the Order, the habit common to the Friars Minor consists of a tunic with a cowl of an off-black *(subnigri)* or brown color and a white cord. Nevertheless, use of the habit should be accommodated to particular circumstances and the Friars may wear other clothing as determined by the Provincial Definitory Board. Where possible, the Friars should wear sandals unless a reasonable cause suggests otherwise."

3. *Regarding cloister:*

"For the protection of the life of the religious family, cloister should be established in houses where this seems good to the Minister Provincial. After he has heard the conventual Discretorv Board, the Minister Provincial can change the cloister boundaries or even temporarily remove cloister. The Guardian, however, can do so only on occasion *(per modum actus)* and for a serious reason,"

Therefore, the Minister General, in the name also of the General Chapter, humbly petitions that, in accord with the intent of the *motu proprio, Ecclesiae sanctae,* II, η. 6,[1] the aforesaid

[1] Reported above in this volume, p. 264.

experiments contrary to common law be kindly permitted.

Reply: In virtue of faculties granted by our Holy Father. the Sacred Congregation for Religious, after attending to the recitals, graciously allows the experiments to be carried out contrary to common law so that:

1. *Regarding the recitation oj the Divine Office:*

According to a command of the Rule, all Friars recite the Divine Office. Where Friars live together or come together in any manner, the Divine Office should be their common prayer and, ordinarily, should be performed in common, without prejudice to the freedom of the lay Brothers to recite the Office "Our Father" prescribed by the Rule. The common recitation of the Divine Office does not pertain to a particular place but to the community. Nevertheless, as a rule, a church is to be preferred both because it is a sacred place and because in a church more effective witness of prayer can be given to the People of God.

With the approval of the Minister Provincial and the consent of his Definitory Board, it is up to the conventual Chapter to determine the time and other circumstances for the Eucharistic celebration and for prayer in common, whether there be question of the Divine Office, or of the Word of God, or other forms of celebration which are consonant with the nature of the Order, without prejudice, however, to norms set down by competent authority. The chanting of Lauds and Vespers with the people is to be promoted in churches of the Order.

2. *Regarding the religious habit:*

According to the Rule and the traditional practice of the Order, the habit common to the Friars Minor consists of a tunic with a cowl of an off-black *(subnigri)* or brown color and a white cord.

Nevertheless, use of the habit may be accommodated to particular circumstances. The Friars may wear other clothing as determined by the Provincial Definitory Board, without prejudice to the customs of ecclesiastics in the area. Where possible, the Friars should wear sandals unless a reasonable cause suggests otherwise.

3. *Regarding cloister:*

For the protection of the life of the religious family, cloister should be observed. It belongs to the Major Superior to define or change the cloister boundaries. Moreover, with the consent of the Definitory Board and after having heard the conventual

Discretory Board, he can, for a serious reason, also temporarily remove cloister itself. The Guardian, however, can change the cloister boundaries and even remove cloister but only on occasion *{per modum actus)* and for a serious reason.

All things to the contrary notwithstanding.

Given at Rome, the 17th day of August, A.D. 1967.

(Private); S. C. Rel., 17 Aug., 1967, Prot. N. 6844/57; reported in *Commentarium pro Religiosis,* 46 (1967)–415–416.

CANON 594

Religious: Common life according to Vatican II, See c. 222, *Motu proprio,* 6 Aug., 1966, II, 25 if.; AAS 58-757.

CANON 595

Religious: Prayer, mental, according to Vatican II. See c. 222, *Afolu proprio,* 6 Aug., 1966, II, 21; AAS 58-757.

CANON 596

Same Habit Allowed Where Particular Law Had Provided Otherwise (S. C. Rel., 16 June, 1965) Private.

Petition. The Abbot General of the Order of Reformed Cistercians, prostrate at the feet of Your Holiness, humbly requests the faculty whereby the lay brothers *{conversi)* and lay Sisters *{conversae)* of solemn vows may be invested with the same habit as are the monks and nuns.

Reply. In virtue of faculties granted by our Holy Father, the Sacred Congregation for Religious, after attending to the recitals, graciously grants the favor as requested, with due observance of all other requirements.

(Private); S. C. Rel., 16 June, 1965; reported by the 1965 Committee on Research of the Canon Law Society of America.

Ecclesiastical Garb in Italy. See c. 136; C. E. I., 19-20 April, 1966.

Habit of Religious Women. See c. 487; Superioresses General.

Religious Habit Waived: Authority of local Ordinary. See c. 500; S. C. Rel., 11 Jan., 1967; U. S. Apost. Del., 24 Jan., 1967.

CANON 600

Ingress Into Cloister of Nuns (S. C. Rel., 18 Nov., 1966) Private.

Petition: The Master General of the Order of Preachers, prostrate at the feet of Your Holiness, humbly requests authorization so that he, together with his entourage, may, for a just reason, enter the monastery cloister of Dominican nuns.

Reply: In virtue of faculties granted by His Holiness, the Sacred Congregation for Religious, after attending to the recitals, graciously grants the favor as requested.

All things to the contrary notwithstanding.

(Private); S. C. Rel., IS Nov., 1966, Prot. N. 6645/66; reported in *Commentarium pro Religiosis,* 46 (1967)–227.

Practical Norms for Renewal of Monasteries of Nuns (S. C. Rel., 12 Dec., 1966) Private.

The secretary of the S. C. for Religious, Bishop Philippe, convoked all Superiors General or their Vicars to discuss steps for an appropriate renewal of monasteries of nuns. The sessions were held on 28 November and 7 and 12 December, 1966. The following set of provisional directive norms were drawn up. This translation is made from the Latin text as promulgated by the Generalate of the Order of Friars Minor.

Experimentation

The experiments mentioned in no. 10 of the *Norms'* refer only to "observances," namely, regular life, administration of the monastery, its internal order, and other matters of this kind.

Reverend Father General, after due weighing of everything pertinent to a given matter, will willingly permit experiments requested by the monasteries if such experiments are in accord with the law, or, if they are contrary to law, will report them to the Holy See provided that they are supported by a qualified (i.e., two-thirds) vote of the monastery Chapter and recommended by the religious Assistant (or Minister Provincial).

In this matter, when there is question of "the law," it is understood to include the following documents as well as the Code

[1] Reported above in this volume, pp. 264-2OS at p. 2S6.

of Canon Law: *Instruction on Cloister oj Monastic Nuns oj Solemn Vows,*[2] issued 6 Feb., 1924: the apostolic constitution *Sponsa Christi,*[3]* the instructions *Inter praeclara,'* and *Inter cetera*[3] as well as the *Instruction and Statutes for Externe Sisters Serving Monasteries oj Nuns.*[6]

Abbesses should refrain from requesting experiments which wear a look of relaxing discipline. The same is true of novelties which it will be difficult to give up if future constitutions should happen not to adopt them. The same is to be said of those matters which introduce excessively notable differences between monasteries and threaten the unity of the Order.

On the other hand, not every mitigation (especially in matters which concern particular statutes) advocates relaxation; it can be simple accommodation to present-day circumstances and, if so, can certainly constitute an object of experiment.

Finally, since consideration is to be taken of "the special mental and spiritual attitude of persons who are cloistered and who have so great a need of stability and security" *(Norms,* no. 10), areas of experimentation should be cautiously selected and not multiplied too much. Experimentation should not be engaged in out of desire for novelty but rather for the good of the monastery and should manifest evidence of stability in God and not fickleness of soul.

Enclosure

Per se the laws of enclosure are outside the range of "experimentation." Nonetheless, some experimentation may be allowed as regards the appendages to enclosure which are referred to in no. 47 of the "questionnaire."

By the term *material separation from outside (Norms,* no. 31) nothing else, for the present, is understood regarding parlors except the grill.

Even though it may be foreseen that the prevailing law may temper to some extent the number of grills and other like circumstances, requests for dispensations must, at this time, be

[2] Reported in Canon Law Digest, 1, pp. 314-320.
[3] Reported in Canon Law Digest, 3, pp. 221-239.
[4] Reported in Canon Law Digest, 3, pp. 240-248.
[6] Reported in Canon Law Digest, 4, pp. 220-237.
[°] Reported in Canon Law Digest, 5, pp. 383-393.

dissuaded, especially so that the uniformity of each order may be preserved intact.

Monasteries with minor cloister are obliged to deliberate about their future condition. "A suitable time which is granted to them to deliberate" may be protracted through a three-year or even through a five-year period. Meanwhile the law of enclosure continues to hold for them as it has up to the present.

Norms whereby monasteries are governed in carrying out such deliberation have not yet been published. As a result, it is recommended that deliberation be deferred to a better time.

If the external works of monasteries with minor cloister are so small that they have very little or no effect on the contemplative life of the whole monastery, it will be proper to maintain the papal cloister by a temporary rescript until the alleged difficulties about relinquishing the works are overcome.

A monastery with minor cloister which, before the constitutions define "constitutional enclosure," decides to retain its external works, will be obliged, after completing its deliberation, to observe enclosure to the extent and according to the limitations of the enclosure which has obtained to the present. However, such enclosure will no longer be papal as of the date when the Sacred Congregation for Religious will have approved the aforesaid constitutions.

Some few monasteries have long since undertaken external works after having been lawfully dispensed from the law of papal enclosure. But even they are subject to the task of appropriate renewal committed to our Order by the decree *Ecclesiae sanctae.*[1] Religious Assistants (or Ministers Provincial), when they are discharging the functions of their office in monasteries of this category, will please explain to the nuns the possibility and appropriateness of using the present opportunity to convert their present exceptional status to a status recognized by law, namely, by accepting "constitutional enclosure."

Lay Sisters

For a lay Sister to transfer to the class of choir Sisters, an induit from the Holy See is still required even after the promulgation of the conciliar decree *Pcrjcctac ℭaritatis* However, the

[1] Reported above in this volume, p. 264.

[8] Partially reported above in this volume, p. 236.

Holy See gladly approves such requests and usually dispenses from making another novitiate.

After obtaining a favorable vote from the Discreet and, preferably. also from the convent Chapter, the abbess must attest to the capacity of the aforesaid Sister to discharge the functions proper to the choir Sisters as well as to the Sister's desire to make such a transfer.

Even if the class of lay Sisters should not be suppressed in the whole Order by law, it will belong to each monastery to consider that class as actually suppressed by the device of stipulating that, for the future, only choir Sisters may be accepted.

There is no problem about experimenting with the elimination of specific differences between lay Sisters and choir Sisters.

Externe Sisters

As was said above, the *Instruction jor Externe Sisters Serving Monasteries oj Nuns* is still in force. As a result, to meet the difficulties which occur either because of a lack of externe Sisters or because of changed circumstances of the times as they affect the external service of monasteries, there is need to make provision by obtaining a rescript from the Holy See. Numbers 18-21 of the "questionnaire" are to be considered an invitation to submit suggestions regarding the future and not to find a solution for present circumstances.

With reference to "accommodation," externe Sisters are by no means to be considered as a class or "category of Sisters" in the sense in which that word is employed in the decree *Perjectae caritatis,* no. 15. Their condition differs from that of nuns. That difference arises also from their "vocation which is not purely contemplative" *(Norms,* no. 29).

The training of nuns must be carried out in the monastery itself. Consequently, egress by the nuns from the monastery under the pretext of acquiring a deeper training must be avoided.

On the other hand, to effect the training of leaders *(magistrarum),* federations can, if need be, draw up special courses in their monasteries or can see to it that selected nuns who have been provided with due safeguards and appropriate authorization, may be sent out to special courses for nuns and not for Sisters of congregations.

So also for completing the formation of nuns in simple vows,

the federations can set down whatever they judge best provides for the praiseworthy objective and this does not exclude appropriate experimentation.

Federations

The Sacred Congregation for Religious has drawn up a new model set of statutes for federations of nuns. The statutes of new federations must be in substantial agreement with them. On the other hand, statutes already approved, even if only on a temporary basis, retain their force even though the terminal time has already expired.

(Private); S. C. Rel., 12 Dec., 1966; reported in *Acta Ordinis Fratrum Minorum,* 86 (1967)–163–165.

Norins for Monasteries of Nuns Engaged in External Works (S. C. Rel., 17 Apr., 1967) Private.

On 2S March, 1967, the Vicar General of the Order of Friars Minor submitted the following questions to the S. C. for Religious to help certain monasteries of nuns dependent upon or spiritually bound to the Franciscan Friars in their work of updating their constitutions.

Questions. 1. How much time do monasteries have to decide whether they will continue their apostolic works or observe papal enclosure? Could one say a period of five years since the publication of *Ecclesiae sanctae*[1] (6 Aug., 1966)?

2. What formalities are to be observed in presenting a request if the monastery arrives at a decision, i.e., the Chapter, ordinary or extraordinary, in which all nuns take part, even those who are not choir Sisters? Ts a two-thirds vote necessary or does an absolute majority suffice? Does the delegate of the highest authority of the Order to whom the revision of the constitutions has been entrusted, enter into the voting process? Must he grant a hearing to each nun to manifest her disagreement in a decision of such importance?

3. Does the result of the voting automatically finalize the choice made by the nuns, or, if the monastery will no longer be one of papal enclosure, is a declaration from the Sacred Congregation for Religious needed? Monasteries which will continue the external works, will have "constitutional" enclosure. But if the constitutions have not yet been approved, are they, as regards

[1] Reported above in this volume, p. 264.

the limitations and extension of the new form of enclosure, bound to the norms already in use for minor cloister?

4. What will be the juridical condition of nuns who do not agree with the majority vote? Must they remain in the monastery, bound to live out a kind of life which does not conform to their calling? Or can they choose another monastery?

5. Or rather, can the Order make provision in the above-indicated cases, in a manner judged to be more appropriate according to the intent of numbers 9-11 of *Ecclesiae sanctae?*

Reply: The proposed points refer especially to no. 32 of the *Motu proprio, Ecclesiae sanctae.* To each of them we reply:

1. The nuns are invited to make a choice as soon as possible of either the apostolic works or the observance of papal cloister. In each case, with the approval of the delegate of the Order, the works may be continued up to the end of three years. At the end of this interval, recourse is to be had to the Holy See.

2. The hearings of the nuns, even if the monasteries are subject to the local Ordinary, are carried out by the delegate of the Order. As a result, he is to maintain contact with the Bishop regarding the decision which the nuns must make. The nuns will make their decision in an extraordinary Chapter in which the lay Sisters are also to take part and in which a two-thirds vote shall be required.

3. For the effective suppression of papal cloister, in addition to the decision of the nuns, a declaration must be sought from the Sacred Congregation for Religious. While they await the revision of their constitutions, the monasteries which intend to continue the external works shall, with the approval of the delegate of the Order, specify exactly what will be the norms of their enclosure.

4. The nuns who have voted against the decision of the majority should, *per se,* remain in the monastery and, therefore, should adapt themselves to the new character of the said monastery. In individual cases they may request a transfer to another monastery if it will accept the petition.

(Private); S. C. Rel., 17 Apr., 1967, Prot. N. S. R. 1466/66; reported in *Acta Ordinis Fratrum Minorum,* 86 (1967)-364-366.

Papal Cloister. See c. 222, Decree on Religious Life, n. 16.

Permission to Enter Cloister. See c. 329; Paul VI, 30 Nov., 1963, n. 34.

CANON 601

Cloister: Minor, abolished. See c. 222, *Motu proprio,* 6 Aug., 1966, II, 30-32; AAS 58-757.

CANON 606

Absence From Religious House: Faculty to permit. See c. 66; Sec. St., 6 Nov., 1964, n. 15; S. C. Rel., 31 May, 1966, n. 4.

Local Ordinary Cun Authorize Absence Beyond Six Months. See c. 329; U. S. Apost. Del., 26 Apr., 1965.

CANON 608

Religious Priests: Greater aid to Bishops in apostolate. See c. 222, Decree on Pastoral Office of Bishops, n. 34. Also c. 222, *Motu proprio,* 6 Aug., 1966, I, 36; AAS 58-757.

CANON 610

Divine Office in Vernacular (S. C. Rit., 9 Jan., 1965) Private.

The Procurator General of the Capuchins asked:

That the lay brothers together with priests be allowed to perform Lauds, Vespers, and Compline in the vernacular, using an approved version.

Reply: In the negative.

(Private); S. C. Rit., 9 Jan., 1965; *Acta O.F.M. Cap.,* 81 (1965J-53; *Commentarium pro Religiosis,* 44 (1965)-206-207. The reason for the negative reply seems to be that this would be contrary to art. 101 of the Constitution on the Liturgy and art. 85-87 of the Instruction for Implementing the Constitution.

Apostolic Letter to Clerical Institutes Bound by Choir (Paul VI, 15 Aug., 1966) Private.

This apostolic letter, *Sacrificium laudis,* was addressed "To the Superiors General of Clerical Religious Institutes Bound by the Choral Obligation."

The sacrifice of praise, that is, the offering of lips confessing the Lord, the psalmody and the hymns by which the hours, days

and religious seasons of the year are made sacred by devotion and with the Eucharistic Sacrifice blazing like the noonday sun and drawing all things to itself, has been customarily and always held in great honor by your families which are devoted to God. Right is the judgment that believed nothing must be given preference over such a holy work. It is easy to understand the great glory which has been tendered by such a work to the Creator of all and the great benefits which have accrued to the Church. By this definite and assiduous program of prayer through the course of centuries, you have taught that divine worship is of the greatest importance for mankind.

And yet from letters written by some of you yourselves as well as from numerous communications from other sources, We have found out that your houses and provinces — We are speaking only of those which belong to the Latin rite — have introduced various practices into the celebration of the sacred liturgy'. To illustrate: some are extremely tenacious of the Latin language: others use the vernacular in the choral performance of the Office: here and there others wish to convert from the chant known as Gregorian to song patterns composed in this generation. Moreover, some have even demanded that the very use of Latin be outlawed.

We must admit that demands of this nature have disturbed Us not a little and caused Us some sorrow. Hence arises the question: from what source has all this arisen, and why have such an attitude of mind and a heretofore unheard-of distaste been spread abroad?

You are certainly aware of and cannot call into question how much We love your religious families and how highly We esteem them. The expressions of outstanding loyalty and the evidences of real devotion ennobling those expressions have often been a cause of wonder to Us. We considered it Our joy, whenever We were given the chance, to show favor to them, to grant their requests, to render their state happier if such could be done licitly and becomingly.

Yet the matters We mentioned above have occurred after the Second Vatican Ecumenical Council thoughtfully and solemnly pronounced its decisions on this matter (cf. *Const, on Sacred Liturgy,* n. 101, § I)[1] and after definite norms were published in

[1] Reported above, p. 32.

subsequent instructions. In the first of these instructions, that for *The Proper Implementation oj the Constitution on the Sacred Liturgy,* which was issued on the 26th of September, 1964, it was decreed: "In the celebration of the Divine Office in choir, clerics are bound to retain the Latin language."[2] In the second instruction, which dealt with *The Language to be Used in the Celebration oj the Divine Office and the Conventual or Community Mass Among Religious,*[3] and which was published on 23 November, 1965, that precept was confirmed and at the same time a program was presented for the spiritual benefit of the faithful and for special circumstances which obtain in regions where missionary activity is being carried on. Therefore, until some other provision is legitimately established, these laws are in force and demand compliance which members of religious institutes as most dear sons of the Church are supposed to be among the first to render.

However, here it is not only a question of retaining in the choral Office the Latin Language which, certainly, is a worthy objective and which not only should not be made little of but eagerly protected since in the Latin Church it is the richest source of Christian human culture and a most wealthy treasury of religious thought, but also of safeguarding treasures for their elegance, beauty and native vitality for this type of prayer and chant. There is question of the choral Office expressed "by the voices of the Church sweetly swelling" (cf. St. Augustine: *Confessions,* bk. 9, ch. 6, *P.L.,* 32, 769) which your founders and masters and saints in heaven — the luminaries of your families — handed down to you. The usages of your forebearers which have been your glory through the long centuries, must not be lightly evaluated. Indeed, this element, the choral Office, has been one of the notable causes why these same families of yours have stood firm and have grown with joyful increases. It is, therefore, very remarkable that, roused by sudden excitement, there are those who think some of these things must now be discarded.

In the present situation, what things, what chant can you substitute for these expressions of Catholic devotion which you have made use of up to this time? One must engage in weighing

-N. 85; the instruction is reported above in its entirety, pp. 73-99.

3 Reported above, pp. 117-120.

and considering lest his condition be worse after he has cast aside that glorious heritage. Fear must be had lest the choral Office be reduced to a kind of haphazard recitation which you yourselves will be the first to sense is an empty labor and begets tedium. There also arises the question whether persons desirous of participating in sacred supplications will come in such great numbers to your churches if the old and native language of those supplications united with a chant replete with gravity and beauty, will no longer be heard there. As a result, We beseech all whom it concerns to ponder what it is they wish to set aside and not to allow the drying up of a well from which they have so copiously drawn up to the present time.

Without doubt the Latin language presents some and. maybe, great difficulty to the recruits of your sacred militia. This difficulty, however, as you yourselves are aware, must not be considered to be such that it cannot be conquered and overcome, especially in your case, since, more removed from the cares and noise of the world, you can more easily spend time on literary work. Besides, those prayers, characterized by venerable excellence and renowned majesty, will continue to attract to you young men who have been called to the Lord's enlistment. On the other hand, if that chorus, from which the Office receives its designation, which knows no national boundaries, and which is endowed with a wonderful spiritual power, and if that music which is born from the depths of the soul where faith resides and charity burns, and which is called Gregorian chant — if these shall have been taken away, the situation will be like an extinguished candle which no longer gives light and no longer draws the eyes and minds of mankind to itself.

My dear sons, whatever be the reason for all this, the above-mentioned demands concern such serious matters that at the present time We cannot grant them and derogate from the norms set down by the Council and the instructions [of the Sacred Congregation of Rites]. As a result, We earnestly exhort you to think through a question which in every way is very involved. Because of the love We have for you and the high esteem, We do not wish to grant you something which can be a cause of deterioration, and which may possibly become the start of great loss to you, and which will certainly bring grief and sorrow to the whole Church of God. Even if you yourselves are unwilling,

permit Us to look out for you. The same Church which for pastoral advantages, that is, for the benefit of the people who do not know Latin, brought the vernacular into the sacred liturgy, gives you a mandate to preserve the inherited dignity, beauty, and gravity of the choral Office, both as regards its language and as regards its chant.

Therefore, with sincerity of soul and tranquility of insight, render compliance to what a not-immoderate attachment to old ways suggests but to what a paternal love for you proposes and concern for divine worship advises.

Finally, as a pledge of heavenly favors and as a testimonial of Our innermost concern. We most gladly impart to you and your members the apostolic blessing.

Given at Rome, at St. Peter's, the 15th day of August, the feast of the Assumption of the Blessed Virgin Mary, in the year of 1966, the fourth of Our Pontificate.

(Private); Paul VI, Ap. Let., IS Aus., 1966; reported with annotations in *Commentarium pro Religiosis,* 46 (1067)—75—7Q; also reported in *Notitiae,* 2 (1966)—252—255.

Divine Office Obligation: Faculty to dispense. See c. 66; S. C. Rel., 31 May, 1966, n. 9.

CANON 613

Use of Privileges of Religious by Local Ordinary. See c. 329; Paul VI, 30 Nov., 1963, n. 29.

CANON 615

Exemption of Regulars: Recognized but limited. See c. *222,* Decree on Pastoral Office of Bishops, n. 35, 3 and 4.

Religious: Exempt. Privilege preserved with certain limitations. See c. *222, Motu proprio,* 6 Aug., 1966, I, 25-27; AAS 58-757.

CANON 622

Religious: Begging; regulations of Episcopal Conference to be observed. See c. 222, *Motu proprio,* 6 Aug., 1966, I, 27; AAS 58-757.

CANON 632

Transfer of Religious: From one diocesan law community to another diocesan law community. Sec c. 329; Paul VI, 30 Nov., 1963, n. 38.

CANON 638

Local Ordinary Can Authorize Induit of Exclaustration: Nuns and pontifical law institutes. See c. 329; U. S. Apost. Del., 26 Apr., 1965.

CANON 640

Readmission of Secularized Religious: Secularized in 1945, a Franciscan priest was later allowed to be received back into the Friars Minor and to make his novitiate outside a novitiate house; the time of novitiate was reduced to six months. S. C. Rel., 23 Nov., 1966, Prot. N. 7573/66. Furthermore, he was later allowed to make his solemn profession immediately upon completion of his novitiate and to omit the temporary profession. S. C. Rel., 14 June, 1967, Prot. N. 7573/66.

Secularization of Temporarily Professed: Faculty to grant. See c. 66; Sec. St., 6 Nov., 1964, n. 14; S. C. Rel., 31 May, 1966, n. 3; c. 267; U. S. Apost. Del., 6 Jan., 1965.

CANON 653

Dismissal of Religious From Diocese. See c. 329; Paul VI, 30 Nov., 1963, n. 39.

CANON 668

Dismissal of Religious From Diocese. See c. 329; Paul VI, 30 Nov., 1963, n. 39.

CANON 675

Special Faculties of Certain Superiors General. See c. 66; Sec. St., 6 Nov., 1964, sect. II, n. 2; S. C. Rel., 31 May, 1966, sect. II, n. 2.

CANON 682

Council for the Laity: Established and norms. Sec c. 222; Paul VI,

Afotu proprio, 6 Jan., 1967, η. I; Paul VI, Ap. Const., 15 Aug., 1967, n. 103.

Laity: Autonomy and formation. Paul VI, Allocution, 8 July, 1966 (AAS 58-640).

Decree of Vatican II, *Apostolicam actuositatem,* on the Apostolate of the Laity, 18 Nov., 1965 (AAS 58-837).

CANON 684

Lay Apostolate: True Position of the Laity (Paul VI Allocution, 15 Oct., 1967) AAS 59-1040.

In this allocution to the Third International Congress of the Lay Apostolate, the following passages are especially noteworthy. The passages immediately following were spoken in French; we translate them literally.

It seems necessary, dear Catholic Laics, to summarize the thought of the Church in your regard, in a few fundamental statements. Just as navigators voyaging through the boundless seas "take their bearings" to determine their position and to guide their course, so too your Third World Congress seems to demand that the doctrines proclaimed by the Church in this most recent stage of her history, especially in the Second Vatican Council, be brought to light.

These things are not new but they are true and important and, for you who listen to and ponder them here, fruitful and vital. Here is the first thought: the Church has accorded solemn recognition to the Laic as a member of the mysterious visible society of the faithful. This is, one might say, an ancient novelty. The Church has reflected on her nature, her origin, her history, her functioning, and has come out with the most worthy and rich definition of her laity, recognizing the lay person as incorporated in Christ, sharing in the priestly, prophetic and kingly function of Christ himself, without forgetting his own proper character as a secular, a citizen of this world, engaged in earthly activities, practicing a non-sacred profession, having a family, devoting himself in all areas to temporal preoccupations and interests.

The Church has proclaimed the dignity of the Laic, not only because he is a man, but also because he is a Christian. She has declared him worthy to be associated, in proper form and measure, with the responsibilities of the life of the Church. She

has judged him capable of bearing witness to his faith. She has recognized in the Laic — man or woman — the full possession of rights: the right to equality in the hierarchy of grace: the right to freedom within the framework of moral and ecclesiastical law; the right to sanctity in conformity to his state of life.

It seems that the Church has taken a sort of pleasure in pronouncing this doctrine on the laity, so many are the expressions that one reads and finds repeated and crisscrossed in several conciliar documents. And, though it may be said that the Church had always been substantially of this mind, one must admit that she had never stated it so insistently and in such ample terms.

This recognition of the "citizenship" of the Laic in the Church of God, We now repeat to you here, glad to confirm the words of the Council; happy to see in them the final outcome of a theological, canonical and sociological process which has long been desired by many clearheaded persons; happy to base on the laity the hopes of a Church that is authentic, rejuvenated, better fitted to accomplish her mission for the Christian salvation of the World.

But, dear sons and daughters, it is not enough to acknowledge and proclaim your position in the Church of God; it is necessary to acknowledge and proclaim also what you can and should do in the Church and what you are actually doing as Catholics freely dedicated to the apostolate. Here we are at the very heart of the subject, in the very definition of your ideal and of your efforts, in the title of your Congress for all the world to read: the Apostolate of the Laity.

Here We are at a great disadvantage; for We can only tell you in another form what the Council has proclaimed with the highest authority and in formulas which are very carefully framed, remarkable for both the precision and richness of their content.

The principle is stated — and that is proof enough of its importance — in the very text of the dogmatic Constitution on the Church. "The laity are gathered together in the People of God and make up the Body of Christ under one Head. Whoever they are, they are called upon as living members to expend all their energy for the growth of the Church and its continuous sanctification. . . . Upon all the laity, therefore, rests the noble duty of working to extend the divine plan of salvation ever

increasingly to all men of each epoch and of every land. *(Lumen Gentium,* n. 33).

You see therefore that the Church recognizes the Laic, not only as one of the faithful, but as an apostle. In opening to him an almost limitless field of action, she confidently addresses to him the invitation of the gospel parable: "Go you also into my vineyard." (Mt 20:4). The work will be multiple and diversified. The Council's decree on the Apostolate of the Laity, after having firmly stated the principle that "the Christian vocation is also by nature a call to the apostolate," devotes two whole chapters to enumerating in detail the "various fields" and "various modes" of the apostolate. You are surely familiar with these texts. To have stated them should suffice to strengthen in your souls the unshakable conviction of the reality of the call of the Church to you in this twentieth century, of her confidence in you, of the broad scope of the responsibilities that she invites you to assume, in order to advance the Kingdom of Christ among your brethren, to be in the full sense what the theme of your Congress invites you to be, "the People of God in the pathways of men."

After these passages which we have translated from the French, the Holy Father proceeded in English, as follows.

At this point an objection arises. In fact, one may say, if the tasks entrusted to lay people in the apostolate are so vast, should it not be admitted that henceforth there are in the Church two parallel hierarchies, as it were — two organizations existing side by side, the better to ensure the great work of the sanctification and salvation of the world?

This, however, would be to forget the structure of the Church as Christ wished it to be, by means of the diversity of ministries. Certainly the People of God, filled with graces and gifts, marching toward salvation, presents a magnificent spectacle. But does it follow that the People of God are their own interpreters of God's Word and ministers of His grace? That they can evolve religious teachings and directives, making abstraction of the Faith which the Church professes with authority? Or that they can boldly turn aside from tradition and emancipate themselves from the Magisterium?

The absurdity of these suppositions suffices to show the lack of foundation of such an objection. The Decree on the Apostolate

of the Laity was careful to recall that "Christ conferred on the apostles and their successors the duty of teaching, sanctifying and ruling in His name and power" (Decree on the Aposlolate of the Laity, n. 2).

Indeed, no one can take it amiss that the normal instrumental cause of the divine designs is the Hierarchy, or that in the Church, efficacity is proportional to one's adherence to those whom Christ "has made guardians to feed the Church of the Lord." (Cf. Acts, 20:28). Anyone who attempts to act without the Hierarchy, or against it, in the field of the Father of the family, could be compared to the branch which atrophies because it is no longer connected with the stem which provides its sap. As history has shown, such a one would be only a trickle of water, cutting itself off from the great mainstream and ending miserably by sinking into the sands.

Do not think, beloved sons and daughters, that for this reason the Church desires to bridle your generous inspirations. Quite simply, she is faithful to herself and to the will of her divine Founder. For the greatest service she can do for you is to define your exact place and role in that organism which is intended to bring to the world the good news of salvation. "In the Church there is diversity of service, but unity of purpose" (Decree on the Apostolate of the Laity, n. 2).

AAS 59-1040; Paul VI, Allocution, 15 Oct., 1967.

Catholic Action: .Allocution of Paul VI to diocesan directors of Catholic Action in Italy, 30 July, 1963 (AAS 55-689).

Pro Deo. In an Apostolic Letter of 7 March, 1965, Paul VI praised, encouraged, and blessed the entire organization of *Pro Deo* and its work. The principal facts about it are these. The inspiration came from the Encyclical, *Caritate Christi compulsi,* of Pius XI (AAS 24-184). The organization consists of: two separate associations of the laity, one for Europe and one for America; an International Union which, besides comprising these two associations, includes priests, diocesan and religious, who are responsible for guiding the organization and promoting its work; a Central Council in Rome and, under its direction, a center of study, also in Rome, established in 1945. The entire organization has been placed under the direction of the Master General of the Dominicans, and was erected as a moral person by decree of the S. C. of Seminaries and Universities, 25 Jan., 1965. The purpose of *Pro Deo* is to unite people of all countries, of various ranks of society and various religions, who acknowledge the supreme authority of God and strive to establish it in

public and private life, in morals, business, politics, education, culture, social and family relations. Paul VI, Ap. Letter, 7 March, 1965 (AAS 57-574).

Rotary Clubs. Allocution of Paul VI to Rotary Clubs of Italy, not reported in /1/15. *Documentation Catholique,* 62 (1965)–681–684, gives the full text in French, translated from *L'Osscrvatore Romano* of 22-23 March, 1965. Summary: Paul VI welcomes the Italian Rotarians; reviews the history and growth of Rotary since its foundation by Paul Harris, a lawyer, in Chicago in 1905; praises its objectives (professional culture and friendship) and method (periodic banquets with informative talks); explains that the "reservations" of the Church regarding Rotary Clubs were based on the fear that they might either be infiltrated by false ideologies or come to be offered as an all-sufficient guide to life, to the exclusion of Christian ideals. This very tactful and friendly address indicates that Paul VI considers that Rotary Clubs, at least in Italy, have freed themselves, or at least are capable of freeing themselves, from the dangers which occasioned the "reservations" on the part of the Church.1 The address closed with an apostolic Blessing. Paul VI, allocution, 20 Mar., 1965. *Doc. Cath.,* 62 (1965)-681-684. English version of section containing implicit approval in *The Pope Speaks,* 10 (1964–6S)–411-412.

CANON 685

Opus Dei: Although classified and listed as a Secular Institute in the *Annuario Pontificio* for 1965, p. 883, and for 1966, p. 885, Opus Dei no longer considers itself nor is it considered by numerous non-members as a Secular Institute but rather as a special form of association of the faithful. For a study of the whole question of Opus Dei in relation to and its differences from the current understanding of Secular Institutes, see *The Jurist,* 25 (1965)–129–162 (Herranz). Although Opus Dei is listed in the 1964 edition of the U. S. *Official Catholic Directory,* p. 62, as a Secular Institute, in the 1965 edition, p. 64, it has been removed from that category and classified as an association of the faithful.

CANON 707

Catholic Near East Welfare Association: Privileges and Faculties of Priest Members (C. N. E. W. A., 1966) Private.

New Privileges

1. The privilege of substituting five decades of the rosary for the Divine Office on any day when one travels sixty miles. (Granted to perpetual members only.)

1 See Canon Law Digest, 1, p. 617; 3, p. 284.

2. The privilege of offering Mass while traveling, in any respectable place — except a bedroom — when a church is difficult of access. There must be no danger of irreverence. (Granted to perpetual members only.)

3. The privilege of offering Mass at any time of the day or night while traveling.

4. The privilege of offering Mass without a server, when a server is not available.

5. The privilege of using the Greek or Latin antimensium in place of the altar stone.

6. The privilege that the faithful assisting at Mass offered by a priest member anywhere on Sundays and Holydays satisfy their obligation.

7. The privilege of anticipating Matins from noon of the preceding day.

8. The privilege of postponing Compline to any hour, even after midnight, provided it is said before retiring.

Previous Privileges Still Enjoyed

1. The personal induit of the privileged altar for four days a week, provided the priest member has not obtained a similar induit for another day.

2. The privilege of celebrating Mass in Byzantine Rite Churches on the antimensium.

Faculties

The consent of the Ordinary of the place being reasonably presumed, and provided the priest member is approved for hearing sacramental confessions:

1. The faculty of blessing, at any time in private, with a single sign of the cross: beads, rosaries, crosses, crucifixes, small religious statues, and medals, and applying to them the Apostolic indulgences; also of attaching the Brigittine indulgence to rosaries. This may be done publicly only on the occasion of Advent and Lenten courses, retreats, and missions.

2. The faculty of blessing crucifixes with a single sign of the cross and applying the plenary indulgence to be gained at the hour of death under the usual conditions.

3. The faculty of blessing crucifixes with a single sign of the cross and applying to these the indulgences of the Way of the

Cross for those who are unable to make the Stations in a church.

4. The faculty of blessing any beads with a single sign of the cross and attaching to them an indulgence of 500 days, to be gained by the faithful whenever they, being contrite of heart, hold the beads and recite devoutly an Our Father or a Hail Mary.

(Private); Cath. Near East Wel. Assn., 1966; reported from circular sent out in 1966 to prospective priest members.

CANON 711

Confraternity: Christian Doctrine. Paul VI, Letter appointing Legate to convention in Pittsburgh, 28 Aug., 1966 (AAS S8-797).

BOOK III

THINGS

Canons 726 - 1551

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THINGS

Canons 726 - 1551

CANON 731

Administration of Sacraments to Oriental Non-Catholics. Sec c. 1; Cone. Vat. II., 21 Nov., 1964, n. 27.

Discipline of the Sacraments in Oriental Church. See c. 1; Cone. Vat. II., 21 Nov., 1964, n. 12-18.

CANON 732

Conditional Baptism in case of doubt. See c. 1258; AAS 59-574, n. 14.

CANON 735

Custody of Holy Oils. See c. 946; /XAS 57—409.

CANON 737

Validity of Baptism conferred by members of separated Churches; See c. 1258; AAS 59-574, nn. 9-20.

Validity of Baptisms Among Jehovah Witnesses. Sec c. 1127; S. C. Doct. Fid., 4 April, 1966.

CANON 781

Conditional Re-Confirmation Because of Doubtful Matter. See c. 1; S. C. Eccl. Or., 8 May, 1962; U. S. Apost. Del., 4 Apr., 1965.

CANON 782

Confirmation by Minister of Different Rite. See c. 1; Cone. Vat. II, 21 Nov., 1964, n. 14.

Hospital Chaplain as Minister of Confirmation. Sec c. 329; Paul VI, 30 Nov., 1963, n. 13.

CANON 801

Instruction on Eucharistic Worship (S. C. Rit., 25 May, 1967) AAS 59-539.

This instruction opens with the words, *Eucharisticum mysterium.*

INTRODUCTION

1. *Recent Documents oj the Church Concerning the Mystery oj the Eucharist*

The mystery of the Eucharist is the true center of the sacred liturgy and indeed of the whole Christian life. Consequently the Church, guided by the Holy'· Spirit, continually seeks to understand and to live the Eucharist more fully.

In our own day the Second Vatican Council has stressed several important aspects of this mystery.

In the Constitution on the Liturgy the Council recalled certain facts about the nature and importance of the Eucharist. It established principles for the reform of the rites of the sacrifice of the Mass so as to encourage the full and active participation of the faithful in the celebration of this mystery'·. It also extended the practice of concélébration and Communion under both kinds.

In the Constitution on the Church the Council showed the close and necessary connection between the Eucharist and the mystery of the Church. Other documents of the Council frequently stressed the important role of the Eucharistic Mystery in the life of the faithful. They showed its power to reveal the meaning of man's work, and indeed of all created nature, since in it "natural elements, refined by man, are changed into the glorified Body and Blood" *(Gaudium et Spes,* η. 38).

Pope Pius XII had prepared the way for many of these statements of the Council, especially in the encyclical letter *Mediator Dei,* while Pope Paul VI in the encyclical letter *Mysterium Fidei* has recalled the importance of certain aspects of Eucharistic doctrine, of the real presence of Christ in particular and the worship due to this sacrament even outside the Mass.

2. *The Need to Retain an Overall View oj the Teaching Contained in These Documents*

In recent years then, certain aspects of the traditional teaching on this mystery have been the subject of deeper reflection throughout the Church and have been presented with new zeal for the greater spiritual benefit of the faithful. Undertakings and research in various fields, particularly the liturgical and biblical, have greatly assisted this process.

From the doctrine contained in these documents it is necessary to formulate practical norms which will show the Christian people how to act in regard to this sacrament so as to pursue that knowledge and holiness which the Council has set before the Church.

It is important that the mystery of the Eucharist should shine out before the eyes of the faithful in its true light. It should be considered in all its different aspects, and the real relationships which, as the Church teaches, are known to exist between these various aspects of the mystery should be so understood by the faithful as to be reflected in their lives.

3. *The Principal Points oj Doctrine in These Documents*

Among the doctrinal principles concerning the Eucharist formulated in these documents of the Church, the following should be noted as having a bearing upon the attitude of Christians toward this mystery, and therefore as falling within the scope of this instruction.

a) "The Son of God in the human nature which He united to Himself redeemed man and transformed him into a new creation by overcoming death through His own death and resurrection (cf. Gal 6:15; 2 Cor 5:17). For by giving His Spirit He mystically established as His body His brethren gathered from all nations. In that body the life of Christ is communicated to those who believe; for through the sacraments they are joined

in a mysterious yet real way to the Christ who suffered and is glorified" *(Lumen Gentium,* n. 7).

Therefore "Our Saviour at the Last Supper on the night when He was betrayed instituted the Eucharistic Sacrifice of His Body and Blood so that He might perpetuate the Sacrifice of the Cross throughout the centuries till His coming. He thus entrusted to the Church, His beloved Spouse, a memorial of His death and resurrection: a sacrament of love, a sign of unity, a bond of charity, a paschal meal in which Christ is eaten, the mind filled with grace, and a pledge of future glory given to us" *(Sacrosanctum Concilium,* n. 47).

Hence the Mass, the Lord's Supper, is at the same time and inseparably:

A sacrifice in which the Sacrifice of the Cross is perpetuated;

A memorial of the death and resurrection of the Lord, who said: "do this in memory of me" (Lk 22:19);

A sacred banquet in which, through the communion of the Body of the Lord, the People of God share the benefits of the Paschal Sacrifice, renew the New Convenant which God has made with man once for all through the Blood of Christ, and in faith and hope foreshadow and anticipate the eschatological banquet in the kingdom of the Father, proclaiming the Lord's death "till His coming."

b) In the Mass, therefore, the sacrifice and sacred meal belong to the same mystery — so much so that they are linked by the closest bond.

For in the sacrifice of the Mass our Lord is immolated when "He begins to be present sacramentally as the spiritual food of the faithful under the appearances of bread and wine." *(Mysterium Fidei).* It was for this purpose that Christ entrusted this sacrifice to the Church, that the faithful might share in it both spiritually, by faith and charity, and sacramentally, through the banquet of holy Communion. Participation in the Lord's Supper is always communion with Christ offering Himself for us as a sacrifice to the Father.

c) The celebration of the Eucharist, which takes place at Mass, is the action not only of Christ, but also of the Church. For in it Christ perpetuates in an unbloody manner the sacrifice offered on the cross, offering Himself to the Father for the

world's salvation through the ministry of priests. The Church, the spouse and minister of Christ, performs together with Him the role of priest and victim, offers Him to the Father and at the same time makes a total offering of herself together with Him.

Thus the Church, especially in the great Eucharistic prayer, together with Christ, gives thanks to the Father in the Holy Spirit for all the blessings which He gives to men in creation and especially in the Paschal Mystery, and prays to Him for the coming of His kingdom.

d) Hence no Mass, indeed no liturgical action, is a purely private action, but rather a celebration of the Church as a society composed of different orders and ministries, in which each member acts according to his own order and role.

e) The celebration of the Eucharist in the sacrifice of the Mass is the origin and consummation of the worship shown to the Eucharist outside Mass. Not only are the sacred species which remain after Mass derived from the Mass, but they are preserved so that those of the faithful who cannot come to Mass may be united to Christ and His Sacrifice celebrated in the Mass, through sacramental Communion received with the right dispositions.

Consequently the Eucharistic sacrifice is the source and the summit of the whole of the Church's worship and of the Christian life. The faithful participate more fully in this sacrament of thanksgiving, propitiation, petition, and praise, not only when they wholeheartedly offer the Sacred Victim, and in it themselves, to the Father with the priest, but also when they receive this same Victim sacramentally.

/) There should be no doubt in anyone's mind that all the faithful ought to show to this most holy sacrament the worship which is due to the true God, as has always been the custom of the Catholic Church. Nor is it to be adored any the less because it was instituted by Christ to be eaten (Council of Trent, Session XIII, Decree on the Eucharist, Chap. V — *Denz.* 878 [1643]). For even in the reserved sacrament He is to be adored because He is substantially present there through that conversion of bread and wine which, as the Council of Trent tells us, is most aptly named transubstantiation.

g) The mystery of the Eucharist should therefore be considered in all its fullness, not only in the celebration of Mass but also in devotion to the sacred species which remain after Mass and are reserved to extend the grace of the sacrifice.

These are the principles from which practical rules are to be drawn to govern devotion due to the sacrament outside Mass and in proper relation to the right ordering of the sacrifice of the Mass according to the mind of the Second Vatican Council and the other documents of the Apostolic See on this subject.

4. *The General Intention oj This Instruction*

For this reason the Commission set up to implement the Constitution on the Liturgy, on the instructions of His Holiness Pope Paul VI, has prepared an instruction setting out such practical rules of this nature as may be suitable for the present situation.

The particular purpose of these rules is not only to emphasize the general principles of how to instruct the people in the Eucharist, but also to make more readily intelligible the signs by which the Eucharist is celebrated as the memorial of the Lord and worshiped as a permanent sacrament in the Church.

For although this sacrament has this supreme and unique feature, that the author of holiness is Himself present in it, nevertheless, in common with the other sacraments, it is the symbol of a sacred reality and the visible form of an invisible grace. Consequently the more intelligible the signs by which it is celebrated and" worshiped, the more firmly and effectively it will enter into the minds and lives of the faithful.

PART I

SOME GENERAL PRINCIPLES OF PARTICULAR IMPORTANCE IN THE CATECHESIS OF THE PEOPLE ON THE MYSTERY OF THE EUCHARIST

5. IPA<7/ *Is Required oj Pastors Who Are to Give Instruction about this Mystery*

Suitable catechesis is essential if the mystery of the Eucharist is to take deeper root in the minds and lives of the faithful.

To convey this instruction properly, pastors should not only bear in mind the many aspects of the Church's teaching, as contained in the documents of the *magisterium,* but in their hearts

and in their lives they must be open to the spirit of the Church in this matter. Only then will they readily perceive which of the many facets of this mystery best suits the needs of the faithful at any one time.

While recalling all that was said above in n. 3, one should take special note of the following.

6. *The Mystery of the Eucharist as the Center of the Entire Life of the Church*

The catechesis about the Eucharistic Mystery should aim to help the faithful to realize that the celebration of the Eucharist is the true center of the whole Christian life both for the universal Church and for the local congregations of that Church. For "the other sacraments, as indeed every ministry of the Church and every work of the apostolate, are linked with the Eucharist and are directed toward it. For the Eucharist contains the entire spiritual good of the Church, namely Christ Himself, our Passover and living bread, offering life to men through his flesh which is both living and life-giving by the Spirit. Men are thus invited and led on to offer themselves, their labors, and all created things together with Him" *(Presbyterorum Ordinis,* η. 5).

The Eucharist both perfectly signifies and wonderfully effects that participation in God's life and unity of God's People by which the Church exists. It is the summit of both the action by which God sanctifies the world in Christ and the worship which men offer to Christ and which through Him they offer to the Father in the Spirit. Its celebration "is the supreme means by which the faithful come to express in their lives and to manifest to others the mystery of Christ and the true nature of the Church" *(Sacrosanctum Concilium,* n. 2; cf. n, 41).

7. *The Mystery of the Eucharist as the Focal Point of the Local Church*

It is through the Eucharist that "the Church continually lives and grows. This Church is truly present in all legitimate local congregations of the faithful which, united with their pastors, are called Churches in the New Testament. These are, each in its own place, the new People, called by God in the Holy Spirit and in all fullness (cf. I Thess., 1:5). In them the faithful are gathered by the preaching of Christ's Gospel, and the mystery of the

Lord's Supper is celebrated, 'so that through the Body and Blood of the Lord the whole brotherhood is united' (Mozarabic Prayer, *PL* 96, 759 B). Every gathering around the altar under the sacred ministry of the bishop" *(Lumen Gentium,* n. 26) or of a priest who takes the place of the bishop *(Sacrosanctum Concilium,* η. 42) "is a sign of that charity and 'unity of the Mystical Body, without which there can be no salvation' (St. Thomas, *Suntrna Theol.* TIT, q. 73, a. 3). Tn these communities, though they may often be small and poor or living among the 'diaspora,' Christ is present, by whose power the one, holy, catholic, and apostolic Church is united. For 'the partaking of the Body and Blood of Christ has no less an effect than to change us into what we have received'" (St. Leo the Great, *Serm.* 63, 7; *Lumen Gentium,* n. 26).

8. *The Eucharistic Mystery and Christian Unity*

Tn addition to those things which concern the ecclesial community and the individual faithful, pastors should pay particular attention to that part of her doctrine in which the Church teaches that the memorial of the Lord, celebrated according to His will, signifies and effects the unity of all who believe in Him.

As the Decree on Ecumenism of the Second Vatican Council declares, the faithful should be led to a proper appreciation of the values which are preserved in the Eucharistic tradition according to which our brethren of the other Christian confessions have continued to celebrate the Lord's Supper. For while "they call to mind the death and resurrection of the Lord in the Holy Supper, they profess that it signifies life in communion with Christ and await His coming in glory" *(Unitatis Redintegratio,* η. 22). But those who have preserved the sacrament of Order, "united with the bishop, have access to God the Father through the Son, the Word incarnate, who suffered and is glorified, by the outpouring of the Holy Spirit, and attain communion with the Blessed Trinity, becoming 'sharers in the divine nature' (2 Pet 1:4). And so through the celebration of the Lord's Eucharist in these individual churches the (hurch of God is built up and grows, and their communion is manifested through concélébration" *(Unitatis Redintegratio,* η. 15).

It is above all in the celebration of the mystery of unity that all (hristians should be filled with sorrow at the divisions which

separate them. They should therefore pray earnestly to God that all disciples of Christ may daily come closer to a proper understanding of the mystery of the Eucharist according to His mind, and may so celebrate it as to become sharers in the Body of Christ and so become one body (cf. I Cor 10:17) "linked by the very bonds by which He wishes it to be constituted" *(Mysterium Fidci).*

9. *The Different Modes oj Christ's Presence*

In order that they may achieve a deeper understanding of the mystery of the Eucharist, the faithful should be instructed in the principal ways in which the Lord is present to His Church in liturgical celebrations.

He is always present in a body of the faithful gathered in His name (cf. Mt 18:20). He is present too in His Word, for it is He who speaks when the Scriptures are read in the Church.

In the sacrifice of the Eucharist He is present both in the person of the minister, "the same now offering through the ministry of the priest who formerly offered Himself on the Cross," (Council of Trent, Session XXII, Decree on the Mass, Chap. II — *Dcnz.* 940 [1743]) and above all under the species of the Eucharist. For in this sacrament Christ is present in a unique way, whole and entire, God and man, substantially and permanently. This presence of Christ under the species "is called 'real' not in an exclusive sense, as if the other kinds of presence were not real, but 'par excellence'" *(Mysterium Fidei).*

10. *The Connection Between the Liturgy oj the Word and the Liturgy of the Eucharist*

Pastors should therefore "carefully teach the faithful to participate in the whole Mass," showing the close connection between the Liturgy of the Word and the celebration of the Lord's Supper, so that they can see clearly how the two constitute a single act of worship. For "the preaching of the Word is necessary for the very administration of the sacraments, inasmuch as they are sacraments of faith, which is born of the Word and fed by it" *(Presbyterorum Ordinis,* η. 4). This is especially true of the celebration of Mass, in which it is the purpose of the Liturgy of the Word to develop the close connection between the preaching and hearing of the Word of God and the Eucharistic Mystery.

When therefore the faithful hear the Word of God, they should realize that the wonders it proclaims culminate in the Paschal Mystery, of which the memorial is sacramentally celebrated in the Mass, In this way the faithful will be nourished by the Word of God which they have received and in a spirit of thanksgiving will be led on to a fruitful participation in the mysteries of salvation. Thus the Church is nourished by the bread of life which she finds at the table both of the Word of God and of the Body of Christ.

11. *The Priesthood Common to All the Faithjul and the* Jim-*isterial Priesthood in the Celebration oj the Eucharist*

The more clearly the faithful understand the place they occupy in the liturgical community' and the part they have to play in the Eucharistic action, the more conscious and fruitful will be the active participation which is proper to that community.

Catechetical instruction should therefore explain the doctrine of the royal priesthood to which the faithful are consecrated byre-birth and the anointing of the Holy Spirit,

Moreover there should also be further explanation of the role in the celebration of the Eucharist of the ministerial priesthood which differs from the common priesthood of the faithful in essence and not merely in degree. The part played by others who exercise a ministry in the Eucharist should also be explained.

12. *The Nature oj Active Participation in the Mass*

It should be made clear that all who gather for the Eucharist constitute that holy'· people which, together with the ministers, plays its part in the sacred action. It is indeed the priest alone who, acting in the person of Christ, consecrates the bread and wine, but the role of the faithful in the Eucharist is to recall the passion, resurrection and glorification of the Lord, to give thanks to God, and to offer the immaculate Victim not only through the hands of the priest, but also together with him: and finally, by receiving the Body of the Lord, to perfect that communion with God and among themselves which should be the product of participation in the Sacrifice of the Mass. For the faithful achieve a more perfect participation in the Mass when, with proper dispositions, they receive the Body of the Lord sacramentally in the Mass itself, in obedience to His words, "take and eat."

Like the passion of Christ itself, this sacrifice, though offered for all, "has no effect except in those united to the passion of Christ by faith and charity. ... To these it brings a greater or less benefit in proportion to their devotion" (St. Thomas, *Summa Theol.* HI, q. 79, a 7, ad 2).

All these things should be explained to the faithful, so that they may take an active part in the celebration of the Mass both by their personal devotion and by joining in the external rites, according to the principles laid down in the Constitution on the Liturgy, which have been further determined by the Instruction *Inter Oecumcnici* of 26 September, 1964, and the Instruction *Musicam Sacram* of 5 March, 1967, and through the Instruction *Tres abhinc annos* of 4 May, 1967.[1]

13. *The Influence oj the Eucharist on the Daily Lives oj the Faithjul*

What the faithful have received by faith and sacrament in the celebration of the Eucharist should have its effect on their way of life. They should seek to live joyfully and gratefully by the strength of this heavenly food, sharing in the death and resurrection of the Lord. And so every'one who has participated in the Mass should be "eager to do good works, to please God, and to live honestly, devoted to the Church, putting into practice what he has learned, and growing in piety" (Hippolytus, *Traditio Apostolica,* 21). He will seek to fill the world with the Spirit of Christ and "in all things, in the very midst of human affairs" to become a witness of Christ *{Gaudium et Spes,* η. 43).

For no "Christian community can be built up unless it has as its basis and pivot the celebration of the Holy Eucharist. It is from this therefore that any attempt to form a community must begin" *{Presbyterorum Ordinis,* η. 6).

14. *Teaching Children About the Mass*

Those who have charge of the religious instruction of children, especially parents, parish priests, and teachers, should be careful when they are introducing them gradually to the mystery of salvation, to give emphasis to instruction on the Mass. Instruction about the Eucharist, while being suited to the age and abilities of the children, should aim to convey the meaning of the Mass

[1] All three documents are reported in this volume on pp. 73-101, 735-755, and 131-137, respectively.

through the principal rites and prayers. It should also explain the place of the Mass in participation in the life of the Church.

All this should be borne in mind especially when children are being prepared for First Communion so that First Communion may be seen as the full incorporation into the body of Christ.

15. *Catechesis about the Mass Should Take the Rites and Prayers as Its Starting Point*

The Council of Trent prescribes that pastors should frequently "either themselves or through others, expound some part of what is read at Mass, and among other things explain something of the mystery of this sacrament" (Session XXII, Decree on the Mass, Chap. 8 — *Denz.* 946 [1749]).

Pastors should therefore gently lead the faithful to a full understanding of this mystery of faith by suitable catechesis. This should take as its starting point the mysteries of the liturgical year and the rites and prayers which are part of the celebration. It should clarify their meaning and especially that of the great Eucharistic Prayer, and lead the people to a profound understanding of the mystery which these signify and accomplish.

PART II

THE CELEBRATION OF THE MEMORIAL OF THE LORD

I. Some General Norms Regarding the Celebration of the Memorial of the Lord in the Community of the Faithful

16. *The Common Unity to Be Shown in the Celebration*

Since through baptism "there is neither Jew nor Greek, slave nor freeman, male nor female," but all are one in Christ Jesus (cf. Gal 3:28), the assembly which most fully portrays the nature of the Church and its role in the Eucharist is that which gathers together the faithful, men and women, of every age and walk of life.

The unity of this community, having its origin in the one bread in which all share (cf. 1 Cor 10:17), is arranged in hierarchical order. For this reason it is necessary that "each person, performing his role as a minister or as one of the faithful, should do all that the nature of the action and the liturgical norms

require of him, and only that" *(Sacrosanctum Concilium,* n. 28).

The outstanding example of this unity may be seen "in the full and active participation of the entire people of God ... in the same Eucharist, in a single prayer, around the one altar where the Bishop presides, accompanied by his priests and ministers." *(Ibid.,* n. 41).

17. *The Community Should Not Be Disrupted, nor the Faithful's Attention Diverted*

In liturgical celebrations, the community should not be disrupted or be distracted from its common purpose. Care then must be taken not to have two liturgical celebrations at the same time in the same church, since it distracts the people's attention.

This is above all true of the celebration of the Eucharist. That is why that disruption of the congregation is to be assiduously avoided which, when Mass is celebrated with the people on Sundays and feast days, is caused by the simultaneous celebration of Masses in the same church.

As far as possible it should be avoided on other days as well. The best way of achieving this is, in accordance with the laws, for those priests to concelebrate who want to celebrate Mass at the same time. Likewise, when Mass is being celebrated for the people in accordance with the public timetable of the Church, baptisms, marriages, exhortations, and the common or choral recitation of the Divine Office are to be avoided.

18. *An Awareness of the Local and Universal Church Community Is to Be Fostered*

In the celebration of the Eucharist a sense of community should be encouraged. Each person will then feel himself united with his brethren in the communion of the Church, local and universal, and even in a way with all men. In the sacrifice of the Mass, in fact, Christ offers Himself for the salvation of the entire world. The congregation of the faithful is both type and sign of the union of the whole human race in Christ its Head.

19. *Welcoming Strangers to the Local Celebration*

When any of the faithful take part in a Eucharistic celebration outside their own parish, they will follow the form of celebration used by the local community.

Pastors should do what they can to help faithful from other areas join with the local community. This is above all necessary

in city churches and places where many of the faithful come on vacation. Where there are large numbers of emigrants or people of another language, pastors should provide them at least from time to time with the opportunity of participating in the Mass in the way to which they are accustomed. "Steps should be taken however to enable the faithful to say or sing together in Latin those parts of the Mass which pertain to them" *(Sacrosanctum Concilium,* n. 54).

20. *The Care to Be Taken by Ministers in Celebrating the Liturgy*

To encourage the active participation of the people and to ensure that the celebrations are carried out as they should be it is not sufficient for the ministers to content themselves with the exact fulfillment of their role according to the liturgical laws. It is also necessary that they should so celebrate the liturgy that by this very fact they convey an awareness of the meaning of the sacred actions.

The people have the right to be nourished by the proclamation of the Word of God and by the minister's explanation of it. Priests, then, will not only give a homily whenever it is prescribed or seems suitable but will ensure that whatever they or the ministers say or sing will be so clear that the faithful will be able to hear it easily and grasp its meaning; and they will in fact be spontaneously drawn to respond and participate. The ministers should undergo a careful preparation for this, above all in seminaries and religious houses.

21. *The Canon of the Mass*

a) In Masses celebrated with the people, even when not concelebrated, it is permissible for the celebrant, if it seems opportune, to say the Canon aloud. In sung Masses *(Missae in cantu)* it is permissible for him to sing those parts of the Canon which are at present allowed to be sung in a concelebrated Mass *(Ritus servandus in concelebratione Missae,* nn. 39, 42) in accordance with the Instruction *Tres abhinc annos*[2] of 4 May, 1967, n. 10.

b) In printing the words of consecration the custom of printing them in a different way from the rest of the text should be maintained, in order that they may stand out more clearly.

2 Reported above, p 131.

22. *The Mass on Radio and Television*

When according to the intent of article 20 of the Constitution on the Liturgy, the Mass is televised or broadcast, local Ordinaries must see to it that the prayer and participation of the faithful do not suffer. It should be celebrated with such dignity and discretion as to be a model of the celebration of the sacred mystery in accordance with the laws of the liturgical renewal.

23. *Photographs During the Celebration oj the Eucharist*

Great care should be taken to ensure that liturgical celebrations, especially the Mass, be not disturbed or interrupted by the taking of photographs. Where there is a good reason for taking them, the greatest discretion should be used, and the norms laid down by the local Ordinary should be observed.

24. *The Importance oj the Arrangement oj Churches for Well-Ordered Celebrations*

"The house of prayer where the most holy Eucharist is celebrated and preserved should be kept clean and in good order, suitable for prayer and sacred celebrations. It is there too that the faithful gather and find help and comfort in venerating the presence of the Son of God, our Savior, offered for us on the altar of sacrifice." Instruction *Musicam Sacram*,[3] 5 March, 1967, nn. 6, 8, 11).

Pastors must realize then that the way the church is arranged greatly contributes to a worthy celebration and to the active participation of the people.

For this reason the directives and criteria given in the Instruction *Inter Oecumenici* should be followed regarding: the building of churches and adapting them to the renewed liturgy, the setting up and adorning of altars, the suitable arrangement of the seating for the celebrant and ministers, the correct place from which to give the readings, and the arrangement of the places for the faithful and the choir.

Above all, the main altar should be so placed and constructed that it is always seen to be the sign of Christ Himself, the place at which the saving mysteries are carried out, and the center of the assembly, to which the greatest reverence is due.

In adapting churches care will be taken not to destroy treasures of sacred art. If in the interests of liturgical renewal a local

3 Reported below, pp. 735-754.

Ordinary decides, having obtained the advice of experts and, if necessary, the consent of those whom it concerns, to remove some of these works of art from their present position, it should be done with prudence and in such a way that even in their new surroundings they are well located.

Pastors will recall that the material and appearance of vestments greatly contribute to the dignity of liturgical celebrations. "They should strive after noble beauty rather than sumptuous display." *{Sacrosanctum Concilium,* n. 124).

II. Celebrations on Sundays and Weekdays

25. *The Celebration oj the Eucharist on Sundays*

Whenever the community gathers to celebrate the Eucharist, it announces the death and resurrection of the Lord, in the hope of His glorious return. The supreme manifestation of this is the Sunday assembly. This is the day of the week on which, by apostolic tradition, the Paschal Mystery is celebrated in the Eucharist in a special way.

In order that the faithful may willingly fulfill the precept to sanctify this day and understand why the Church calls them together to celebrate the Eucharist every Sunday, from the very outset of their Christian formation "Sunday should be presented to them as the primordial feast day," *{Sacrosanctum Concilium,* n. 106) on which, assembled together, they are to hear the Word of God and take part in the Paschal Mystery.

Moreover, any endeavor that seeks to make Sunday a genuine "day of joy and rest from work" *{Ibid.)* should be encouraged.

26. *The Celebration oj Sunday Around the Bishop and in Parishes*

It is fitting that the sense of ecclesial community, especially fostered and expressed by the celebration of Sunday Mass in common, should be encouraged both around the Bishop, particularly in the cathedral church, and in the parish assembly, where the pastor takes the place of the Bishop.

It is important that the active participation of the entire people in the Sunday celebration, which is expressed in singing, should be assiduously promoted. In fact, sung Masses *{Missae in cantu)* should be preferred as far as possible.

On Sundays and feast days above all, the celebrations which take place in other churches or oratories should be arranged in connection with the celebrations in the parish church so that they contribute to the general pastoral effort. It is preferable that small religious nonclerical communities and other similar communities, especially those that work in the parish, should take part in the parish Mass on these days.

As regards the time and number of Masses to be celebrated in parishes, the good of the parish community should be kept in mind and the number of Masses should not be so multiplied as to weaken the effectiveness of the pastoral effort; for example, if through the great number of Masses only small groups of the faithful were to come to each of the Masses in a church that can hold a great number of people. Another example would be if, for the same reason, the priests were so overburdened by their work as to make it difficult for them to fulfill their ministry adequately.

27. *Masses for Particular Groups*

In order to emphasize the value of the unity of the parish community in the celebration of the Eucharist on Sundays and feast days, Masses for particular groups, such as associations and societies, should be held on weekdays if possible. If it is not possible to transfer them to a weekday, one should try' to preserve the unity of the parish community by incorporating these particular groups into the parish celebrations on Sunday's and feast days.

28. *Anticipating the Sunday and Feast Day Masses on the Previous Evening.*

Where permission has been granted by the Apostolic See to fulfill the Sunday obligation on the preceding Saturday evening, pastors should explain the meaning of this permission carefully to the faithful and should ensure that the significance of Sunday be not thereby obscured. The purpose of this concession is in fact to enable the Christians of today to celebrate more easily· the day of the resurrection of the Lord.

All concessions and contrary customs notwithstanding, when celebrated on Saturday this Mass may be celebrated only in the evening, at times determined by the local Ordinary.

In these cases the Mass celebrated is that assigned in the calendar to Sunday; the homily and the prayer of the faithful are not to be omitted.

What has been said above is equally valid for the Mass on holy days of obligation which for the same reason has been transferred to the preceding evening.

The Mass celebrated on the evening before Pentecost Sunday is the present Mass of the Vigil, with the Creed. Likewise, the Mass celebrated on the evening of Christmas Eve is the Mass of the Vigil but with white vestments, the Alleluia and the Preface of the Nativity, as on the feast. Nevertheless it is not permitted to celebrate the Vigil Mass of Easter Sunday before dusk on Holy Saturday, certainly not before sunset. This Mass is always that of the Easter Vigil which, by reason of its special significance in the liturgical year and in the whole Christian life, must be celebrated with the liturgical rites laid down for the Vigil of this holy night.

The faithful who begin to celebrate the Sunday or holy day of obligation on the preceding evening may go to Communion at that Mass even if they have already received Communion in the morning. Those who "have received Communion during the Mass of the Easter Vigil, or during the Mass of the Lord's Nativity, may receive Communion again at the second Easter Mass and at one of the Masses on Christmas Day." *(Inter Oecumenici,* 60). Likewise "the faithful who go to Communion at the Mass of Chrism on Holy Thursday may again receive Communion at the evening Mass of the same day," in accordance with the Instruction *Tres abhinc annos* of 4 May, 1967, n. 14.

29. *Masses Celebrated on Weekdays*

The faithful should be invited to go to Mass frequently on weekdays, in fact to go to Mass even daily.

This is particularly recommended on those weekdays which should be celebrated with special care, above all in Lent and Advent, and also on some minor feasts of the Lord and certain feasts of the Blessed Virgin Mary or of the saints who are particularly venerated in the universal or local Church.

30. *Mass at Meetings and Gatherings oj a Religious Character*

It is very fitting that meetings of congresses which seek to develop the Christian life or apostolate or which seek to promote religious studies, as well as spiritual exercises and retreats of every kind, should be so arranged as to have their climax in the celebration of the Eucharist.

HI. The Communion of the Faithful

31. *The Communion oj the Faithjul during Mass*

Through sacramental Communion the faithful take part more perfectly in the celebration of the Eucharist. It is strongly recommended that they should normally receive it during the Mass and at that point of the celebration which is prescribed by the rite, namely immediately after the Communion of the celebrant.

In order that, even through signs, the Communion may be seen more clearly to be participation in the sacrifice which is being celebrated, care should be taken to enable the faithful to communicate with hosts consecrated during that Mass.

It should belong to the celebrant priest above all to distribute Communion; nor should the Mass continue until the Communion of the faithful is over. Other priests or deacons will help the priest if need be.

32. *Communion under Both Kinds*

Holy Communion, considered as a sign, has a more complete form when it is received under both kinds. For under this form (leaving intact the principles of the Council of Trent, by which under either species there is received the true sacrament and Christ whole and entire), the sign of the Eucharistic banquet appears more perfectly. Moreover, it shows more clearly how the new and eternal Covenant is ratified in the Blood of the Lord, as it also expresses the relation of the Eucharistic banquet to the eschatological banquet in the kingdom of the Father (cf. Mt 26:27-29).

This is why from now on, in accordance with the judgment of the Bishops and given the necessary catechesis, Communion from the chalice is permitted in the following cases, which were either already granted by previous legislation·| or are granted by the present instruction:

1) To newly baptized adults in the Mass which follows their baptism; to confirmed adults in the Mass of their Confirmation; to baptized persons who are received into communion with the Church;

2) To bride and bridegroom in the Mass of their wedding;

3) To newly ordained in the Mass of their ordination;

4) To abbesses in the Mass of their blessing; to virgins in the

« See above, p. 49.

Mass of their consecration; to professed in the Mass of their first or renewed religious profession, provided that they take or renew their vows during the Mass;

5) To lay missionaries, in the Mass in which they are publicly sent out on their mission, and to all others in the Mass in which they receive an ecclesiastical mission;

6) In the administration of Viaticum, to the sick person and to all who are present when Mass is celebrated in the house of the sick person, in accordance with the existing norms;

7) To the deacon, subdeacon, and ministers, who carry out their ministry in a solemn or pontifical Mass;

8) When there is a concélébration:

a) to all who exercise a genuine liturgical function in this concélébration, including lay people, and to all seminarians who are present;

Z>) in their churches, to all members of institutes practicing the evangelical virtues and of other societies in which the members either through religious vows or offering or a promise dedicate themselves to God; and also to all those who normally live in the house of the members of these institutes and societies.

9) To priests who take part in large celebrations, but are not able to celebrate or concelebrate;

10) To all groups which are making retreats or following spiritual exercises, at Mass which is celebrated during the retreat or exercises for those who are taking part; to all those who are taking part in the meeting of some pastoral commission, in the Mass they celebrate in common;

11) To those listed under nn. 2 and 4, in their jubilee Masses;

12) To the godfather, godmother, parents and spouse of a baptized adult, together with the lay catechists who have prepared him, in the Mass of initiation;

13) To the parents, relatives and special benefactors, who take part in the Mass of a newly ordained priest.

33. *Communion outside Mass*

a) It is necessary to accustom the faithful to receive Communion during the actual celebration of the Eucharist. Even outside Mass, however, priests will not refuse to distribute Communion to those who have good reason to ask for it. By permission of the Bishop of the place, according to the norm of the

Motu proprio. Pastorale Munus:' n. 4, or by permission of the supreme moderator of a religious institute according to the rescript *Cum admotae,*[8] art. 1, η. 1, Communion may be distributed even in the afternoon.

b) When, at the prescribed times, Communion is distributed outside Mass, if it is judged suitable, a short Bible service may precede it. in accordance with the Instruction *Inter Oecumenici,* nn. 37 and 39.

c) If Mass cannot be celebrated because of a lack of priests and Communion is distributed by a minister who has the faculty to do this by induit from the Apostolic See. the rite laid down by the competent authority is to be followed.

34. *The* II'fly *of Receiving Communion*

a) In accordance with the custom of the Church. Communion may be received by the faithful either kneeling or standing. One or the other way is to be chosen, according to the decision of the episcopal conference, bearing in mind all the circumstances, above all the number of the faithful and the arrangement of the churches. The faithful should willingly adopt the method indicated by their pastors, so that Communion may truly be a sign of the brotherly union of all those who share in the same table of the Lord.

b) When the faithful communicate kneeling, no other sign of reverence toward the Blessed Sacrament is required, since kneeling is itself a sign of adoration.

When they receive Communion standing, it is strongly recommended that, coming up in procession, they should make a sign of reverence before receiving the Blessed Sacrament. This should be done at the right time and place, so that the order of people going to and from Communion may not be disrupted.

35. *Communion and the Sacrament of Penance*

The Eucharist should also be presented to the faithful "as a medicine, by which we are freed from our daily faults and preserved from mortal sin" (Council of Trent, Session XIII. Decree on the Eucharist, Chap. 2- *Denz.* 875 [1638]): they should be shown how to make use of the penitential parts of the liturgy of the Mass.

8 Reported above, pp. 370-378.

0 Reported above, pp. 147-152.

"The precept 'let a man examine himself' (1 Cor 11:28) should be called to mind for those who wish to receive Communion. The custom of the Church declares this to be necessary so that no one who is conscious of having committed mortal sin, even if he believes himself to be contrite, should approach the Holy Eucharist without first making a sacramental confession." *{Ibid.,* Chap. 7. — *Dcnz.* 880 [1646-7]). "If someone finds himself in a case of necessity, however, and there is no confessor to whom he can go. he should first make an act of perfect contrition." (Canon 856).

The faithful are to be constantly encouraged to accustom themselves to going to confession outside the celebration of Mass, and especially at the prescribed times. In this way, the sacrament of penance will be administered calmly and with genuine profit, and will not interfere with active participation in the Mass. Those who receive Communion daily or very frequently should be counseled to go to confession at times suitable to the individual case.

36. *Communion in Circumstances oj Particular Solemnity*

It is very fitting that, whenever the faithful are setting out on a new state of life or a new way of working in the vineyard of the Lord, they should take part in the Sacrifice through sacramental Communion in order to dedicate themselves again to God and to renew their covenant with Him.

This can well be done, for example: by the assembly of the faithful, when they renew their baptismal vows at the Easter Vigil; by young people, when they do the same in the presence of the Church in a manner in keeping with their age; by bride and bridegroom when they are united in the sacrament of marriage; by those who dedicate themselves to God when they take vows or make their solemn commitment; and by the faithful when they are to devote themselves to apostolic tasks.

37. *Frequent and Daily Communion*

Since "it is clear that the frequent or daily reception of the Blessed Eucharist increases union with Christ, nourishes the spiritual life more abundantly, strengthens the soul in virtue and gives the communicant a stronger pledge of eternal happiness, parish priests, confessors and preachers will frequently and zealously exhort the Christian people to this holy and salutary practice." (Decree on Daily Communion, S. C. Cone., 20 Dec.,

1905, n. 6, ASS 38-401 if.).

38. *Private Prayer After Communion*

On those who receive the Body and Blood of Christ, the gift of the Spirit is poured out abundantly like living water (cf. Jn 7:37–39), provided that this Body and Blood have been received sacramentally and spiritually, namely, by that faith which operates through charity.

But union with Christ, to which the sacrament itself is directed, is not to be limited to the duration of the celebration of the Eucharist; it is to be prolonged into the entire Christian life, in such a way that the Christian faithful, contemplating unceasingly the gift they have received, may make their life a continual thanksgiving under the guidance of the Holy Spirit and may produce fruits of greater charity.

In order to remain more easily in this thanksgiving which is offered to God in an eminent way in the Mass, those who have been nourished by holy Communion should be encouraged to remain for a while in prayer.

39. *Viaticum*

Communion given as Viaticum should be considered as a special sign of participation in the mystery celebrated in the Mass, the mystery of the death of the Lord and His passage to the Father. By it, strengthened by the Body of Christ, the Christian is endowed with the pledge of the resurrection in his passage from this life.

Therefore the faithful who are in danger of death from any cause whatever are obliged to receive Holy Communion (Can. 864, § 1). Pastors must ensure that the administration of this sacrament is not delayed, but that the faithful are nourished by it while still in full possession of their faculties (Can. 865).

Even if the faithful have already communicated on the same day, it is earnestly recommended that when they are in danger of death they should again receive Communion.

40. *The Communion of Those Who Arc Unable to Come to Church*

It is fitting to provide the nourishment of the Eucharist for those who are prevented from attending its celebration in the community. They will thus feel themselves united to this community and sustained by the love of their brethren.

Pastors of souls will take every care to make it possible for

the sick and aged to receive the Eucharist frequently, even if they are not gravely ill or in danger of death. In fact, if possible this could be done every day, and should be done in paschal time especially. Communion may be taken to such people at any time of the day.

41. *Communion under the Species oj Wine Alone*

In case of necessity, depending on the judgment of the Bishop, it is permitted to give the Eucharist under the species of wine alone to those who are unable to receive it under the species of bread.

In this case it is permissible, with the consent of the local Ordinary, to celebrate Mass in the house of the sick person.

If, however, Mass is not celebrated in the presence of the sick person, the Blood of the Lord should be kept in a properly covered chalice and placed in the tabernacle after Mass. It should be taken to the sick person only if contained in a vessel which is closed in such a way as to eliminate all danger of spilling. When the sacrament is administered, that method should be chosen from the ones given in the *Ritus servandus in distributione communionis sub utraque specie* which is most suited to the case. When Communion has been given, should some of the precious Blood still remain, it should be consumed by the minister; he will also carry out the usual ablutions.

IV. The Celebration of the Eucharist in the Life and Ministry of the Bishop and the Priest

42. *The Celebration oj the Eucharist in the Lije and Ministry oj Bishops*

The celebration of the Eucharist expresses in a particular way the public and social nature of the liturgical actions of the Church, "which is the sacrament of unity, namely, a holy people united and ordered under its bishops" *(Sacrosanctum Concilium,* n. 26).

In consequence, "the Bishop, endowed with the fullness of the sacrament of Order, is the steward of the grace of the supreme priesthood, above all in the Eucharist, which he offers himself or causes to be offered. . . . But every legitimate celebration of the Eucharist is regulated by the Bishop. For to him is entrusted the task of offering Christian worship to the majesty of God and of directing it according to the Lord's commandments and

the Church's laws, further determined for his diocese by his own decisions" *(Lumen Gentium,* n. 26). The Church is most perfectly displayed in its hierarchic structure in that celebration of the Eucharist at which the Bishop presides, surrounded by his priests and ministers, with the active participation of the whole people of God.

43. *Priests Should Take Their Proper Role in the Celebration oj the Eucharist*

In the celebration of the Eucharist, priests also are deputed to perform a specific function by reason of a special sacrament, namely holy Orders. For they too "as ministers of the sacred mysteries, especially in the sacrifice of the Mass, ... act in the person of Christ in a special way" *(Presbyterorum Ordinis,* η. 13; *Lumen Gentium,* n. 28). It is therefore fitting that, by reason of the sign, they participate in the Eucharist by exercising the Order proper to them, by celebrating or concelebrating the Mass, and not by limiting themselves to communicating like the laity.

44. *The Daily Celebration oj Mass*

"In the mystery of the Eucharistic sacrifice, in which the priest exercises his highest function, the work of our redemption is continually accomplished. Daily celebration of Mass, therefore, is most earnestly recommended, since, even if the faithful cannot be present, it remains an action of Christ and the Church," *(Presbyterorum Ordinis,* η. 13; *Mysterium Fidei)* an action in which the priest is always acting for the salvation of the people.

45. *The Laws oj the Church Must Be Faithfully Observed in Celebrating Mass*

Especially in the celebration of the Eucharist, no one. not even a priest, may on his own authority add. omit, or change anything in the Liturgy. Only the supreme authority of the Church, and according to the provisions of the law. the Bishop and the episcopal conferences, may do this. Priests should therefore make sure that they so preside over the celebration of the Eucharist that the faithful know that they are taking part not in a rite established on private initiative, but in the Church's public worship, the regulation of which was entrusted by Christ to the Apostles and their successors.

46. *Pastoral Considerations as the Criterion by Which to Choose Among Different Forms oj Celebration*

"Care must be taken not only that in a liturgical action the laws for a valid and licit celebration are observed, but also that the faithful consciously, actively and fruitfully participate in it" *(Sacrosanctum Concilium,* n. 11). From among the forms of celebration permitted by the law, priests should therefore endeavor to choose in each instance those which seem most suited to the needs of the faithful and favorable to their full participation.

47. *Concélébration*

Concélébration of the Eucharist aptly demonstrates the unity of the sacrifice and of the priesthood. Moreover, when the faithful take an active part, the unity of the People of God is strikingly manifested, particularly if the Bishop presides.

Concélébration both symbolizes and strengthens the brotherly bond of the priesthood, because "by virtue of the ordination to the priesthood which they have in common, all are bound together in an intimate brotherhood" *(Lumen Gentium,* η. 28: *Presbyterorum Ordinis,* η. 8).

Therefore, unless it conflicts with the needs of the faithful, which must always be consulted with the deepest pastoral concern, and although every priest retains the right to celebrate alone, it is desirable that priests should celebrate the Eucharist in this eminent manner. This applies both to communities of priests and to groups which gather on particular occasions, and also to all similar circumstances. Those who live in community or serve the same church should welcome visiting priests into their concélébration.

The competent superiors should therefore facilitate and indeed positively encourage concélébration, whenever pastoral needs or other reasonable motives do not prevent it.

The faculty to concelebrate also applies to the principal Masses in churches and public and semi-public oratories of seminaries, colleges and ecclesiastical institutes, and also of religious orders and societies of clergy living in community without vows. However, where there is a great number of priests, the competent superior may give permission for concélébration to take place even several times on the same day, but at different times or in different sacred places.

48. *The Bread jor Concélébration*

If a large host is used for concélébration, as permitted in the *Ritus servandus in concelebrationc Missae,* n. 17, care must be taken that, in keeping with traditional usage, it should be of such a shape and appearance as befits so great a sacrament.

PART TH
THE WORSHIP OF THE EUCHARIST AS A PERMANENT SACRAMENT

I. The Reasons for Reserving the Eucharist and Prayer Before the Blessed Sacrament

49. *The Reasons jor Reserving the Eucharist Outside Mass*

"It would be well to recall that the primary and original purpose of reserving the sacred species in church outside Mass is the administration of the Viaticum. Secondary ends are the distribution of Communion outside Mass and the adoration of our Lord Jesus Christ concealed beneath these same species.'" For "the reservation of the sacred species for the sick ... led to the praiseworthy custom of adoring the heavenly food which is preserved in churches. This practice of adoration has a valid and firm foundation," (Pius Nil. *Mediator Dei)* especially since belief in the real presence of the Lord has as its natural consequence the external and public manifestation of that belief.

50. *Prayer bejore the Blessed Sacrament*

When the faithful adore Christ present in the sacrament, they should remember that this presence derives from the sacrifice and is directed toward both sacramental and spiritual Communion.

In consequence, the devotion which leads the faithful to visit the Blessed Sacrament draws them into an ever deeper participation in the Paschal Mystery. It leads them to respond gratefully to the gift of Him who through His humanity constantly pours divine life into the members of His body. Dwelling with Christ our Lord, they enjoy His intimate friendship and pour out their hearts before Him for themselves and their dear ones and pray for the peace and salvation of the world. They offer their entire lives with Christ to the Father in the Holy

· S. C. Sacr., Instruction, 1 Oct., 1949; reported in Canon Law Digest, 3, pp. 31S-340. Cited section, p. 338.

Spirit, and receive in this wonderful exchange an increase of faith, hope and charity. Thus they nourish those right dispositions which enable them with all due devotion to celebrate the memorial of the Lord and receive frequently the bread given us by the Father.

The faithful should therefore strive to worship Christ our Lord in the Blessed Sacrament, in harmony with their way of life. Pastors should exhort them to this and set them a good example.

51. *The Faithjul Should Have Easy Access to Churches*

Pastors should see to it that all churches and public oratories where the Blessed Sacrament is reserved remain open for at least several hours in the morning and evening so that it may be easy for the faithful to pray· before the Blessed Sacrament.

II. The Place for the Reservation of the Holy Eucharist

52. *The Tabernacle*

Where reservation of the Blessed Sacrament is permitted according to the provisions of the law, it may· be reserved permanently· or regularly only on one altar or in one place in the church. Therefore, as a rule, each church should have only one tabernacle, and this tabernacle must be safe and inviolable.

53. *The Blessed Sacrament Chapel*

The place in a church or oratory where the Blessed Sacrament is reserved should be truly prominent. It ought to be suitable for private prayer so that the faithful may easily and fruitfully, by private devotion also, continue to honor our Lord in this sacrament. It is therefore recommended that, as far as possible, the tabernacle be placed in a chapel distinct from the middle or central part of the church, above all in those churches where marriages and funerals take place frequently· and in places which are much visited for their artistic or historical treasures.

54. *The Tabernacle in the Middle oj the Altar or in Some Other Part oj the Church*

"The Blessed Sacrament should be reserved in a solid, inviolable tabernacle in the middle of the main altar or on a secondary altar, but in a truly prominent place. Alternatively, according to legitimate customs and in indivdual cases to be decided by the local Ordinary, it may be placed in some other

part of the church which is really worthy and properly equipped.

"Mass may be celebrated facing the people even though there is a tabernacle on the altar, provided this is small yet adequate." (Instruction of S. C. Rit., *Inter Oecumenici,* 26 Sept., 1964, n. 95).

55. *A Tabernacle on an Altar -where Mass Is Celebrated with a Congregation*

In the celebration of Mass the principal modes of worship by which Christ is present to His Church are gradually revealed. First of all, Christ is seen to be present among the faithful gathered in His name; then in His Word, as the Scriptures are read and explained; in the person of the minister; finally and in a unique way *(modo singulari}* under the species of the Eucharist. Consequently, because of the sign, it is more in keeping with the nature of the celebration that the Eucharistic presence of Christ, which is the fruit of the consecration and should be seen as such, should not be on the altar from the very beginning of Mass through the reservation of the sacred species in the tabernacle.

56. *The Tabernacle in the Construction oj New Churches and the Adaptation oj Existing Churches and Altars*

The principles stated in nn. 52 and 54 ought to be kept in mind in the building of new' churches.

The adaptation of existing churches and altars may take place only according to the principles laid down in n. 24 of this instruction.

57. *The Means oj Indicating the Presence oj the Blessed Sacrament in the Tabernacle*

Care should be taken that the presence of the Blessed Sacrament in the tabernacle is indicated to the faithful by a tabernacle veil or some other suitable means prescribed by the competent authority.

According to the traditional practice, a lamp should burn continuai!)' near the tabernacle as a sign of the honor paid to the Lord.

III. Eucharistic Devotions

58. Devotion, both private and public, toward the Sacrament of the Altar even outside Mass, provided it observes the norms laid down by the legitimate authority and those of the present instruction, is highly recommended by the Church, since the

Eucharistic sacrifice is the source and summit of the whole Christian life.

In determining the form of such devotions, account should be taken of the regulations of the Second Vatican Council concerning the relationship to be maintained between the liturgy and non-liturgical celebrations. Especially important is the rule which states: "The liturgical seasons must be taken into account, and these devotions must harmonize with the liturgy, be in some way derived from it, and lead the people toward the liturgy as to something which of its nature is far superior to these devotions" *(Sacrosanctum Concilium,* n. 13).

IV. Eucharistic Processions

59. In processions in which the Blessed Sacrament is solemnly carried through the streets to the singing of hymns, especially on the feast of Corpus Christi, the Christian people give public witness to their faith and devotion toward this sacrament.

However, it is for the local Ordinary to decide whether such processions are opportune in present-day circumstances. He will also determine the place and form of such processions, so that they may be conducted with dignity and without injury to the reverence due to this sacrament.

V. Exposition of the Blessed Sacrament

60. The exposition of the Blessed Sacrament, for which either a monstrance or a ciborium may be used, stimulates the faithful to an awareness of the marvelous presence of Christ and is an invitation to spiritual communion with Him. It is therefore an excellent way in which to foster that worship in spirit and truth which is His due.

Care must be taken that during these expositions the worship given to the Blessed Sacrament should be seen, by signs, in its relation to the Mass. It is thus desirable that when the exposition in question is solemn and prolonged, it should be begun at the end of the Mass in which the host to be exposed has been consecrated. The Mass ends with the *Benedicamus Domino* and the blessing is omitted. In the decoration which accompanies exposition, one must carefully avoid anything which could obscure the desire of Christ in instituting the Eucharist; for He instituted it above all with the purpose of nourishing, healing and sustaining us.

61. *It is Forbidden to Celebrate Mass bejore the Blessed Sacrament Exposed*

While the Blessed Sacrament is exposed, the celebration of Mass in the same area of the church *(eadem aula ecclesiae)* is forbidden, all concessions and contrary customs valid up to the present time, even those worthy of special mention, notwithstanding.

This is because besides the reasons given in n. 55 of this instruction, the celebration of the Mystery of the Eucharist includes in a more perfect way that spiritual communion to which exposition should lead the faithful. Therefore there is no need for this further help.

If exposition of the Blessed Sacrament is prolonged for a day, or for several successive days, it should be interrupted during the celebration of the Mass, unless it is celebrated in a chapel apart from the exposition area and at least some of the faithful remain in adoration.

In places where the interruption of a long-established contrary custom would upset the faithful, the local Ordinary should establish a suitable but not over-long period of time, in order that this norm may be explained to the faithful before coming into effect.

62. *How the Rite oj Exposition Is to Be Carried Out*

If the exposition is to be only a short one, then the monstrance or ciborium should be placed on the altar table. If exposition is over a longer period, then a throne may be used, placed in a prominent position; care should be taken, however, that it be not too high or far away.

During the exposition everything should be so arranged that the faithful can devote themselves attentively in prayer to Christ our Lord.

To foster personal prayer, there may be readings from the Scriptures together with a homily, or brief exhortations which lead to a better understanding of the Mystery of the Eucharist. It is also good for the faithful to respond to the Word of God in song. It is desirable that there should be periods of silence at suitable times.

At the end of exposition, Benediction with the Blessed Sacrament is given.

If the vernacular is used, instead of singing the *Tantum Ergo*

before the blessing, another Eucharistic hymn may be used, as laid down by the episcopal conference.

63. *Solemn Annual Exposition*

In churches where the Blessed Sacrament is normally reserved, there may be a protracted period of solemn exposition each year, even if not strictly continuous, giving the local community the opportunity to adore and meditate on this mystery more deeply and fervently.

Exposition of this kind should be held only if it is seen that there will be a reasonable number of the faithful, and only with the consent of the local Ordinary and according to law.

64. *Prolonged Exposition*

For any grave and general need, the local Ordinary can order that there should be prayer before the Blessed Sacrament exposed over a long period, which may be strictly continuous, in those churches where there are large numbers of the faithful.

65. *Interrupting Exposition*

If, because there is not a suitable number of faithful for the adoration of the Blessed Sacrament, continuous exposition is not possible, it is permissible to replace the Host in the tabernacle, at pre-arranged and publicized times. This should not be done, however, more than twice in a day, for example at midday and at night.

This reposition may be carried out in a more simple way and without singing: the priest dressed in surplice and stole, having adored the Blessed Sacrament for a short time, replaces it in the tabernacle. In the same way, at a set time, the Blessed Sacrament is again exposed; the priest retires after a short period of adoration.

66. *Exposition /or Short Periods*

Even brief exposition of the Blessed Sacrament, held in accordance with the law, should be so arranged that before the blessing with the Blessed Sacrament reasonable time is provided for readings of the Word of God, hymns, prayers, and silent prayer, as circumstances permit.

Local Ordinaries will make certain that these expositions of the Blessed Sacrament are always and everywhere carried out with due reverence.

Exposition merely for the purpose of giving Benediction after Mass is forbidden.

VI. Eucharistic Congresses

67. In Eucharistic congresses Christians seek to understand this mystery more deeply through a consideration of its many aspects (cf. above, n. 3). But they should celebrate it in accordance with the norms of the Second Vatican Council and should venerate it through devotions and private prayers, especially by solemn processions, in such a way that all these forms of devotion find their climax in the solemn celebration of Mass.

For the duration of the Eucharistic congress of an entire region, it is fitting that some churches should be reserved for perpetual adoration.

In the audience granted on the 13th of April, 1967, to His Eminence Arcadio M. Cardinal Larraona, Prefect of the Sacred Congregation of Rites, His Holiness Pope Paul VI, by his authority, approved and confirmed this instruction, ordered that it should be published, and established that it should come into effect on the feast of the Assumption of the Blessed Virgin Mary, 15 August, 1967.

All things to the contrary notwithstanding.

Rome, 25th May, 1967, the feast of Corpus Christi.

AAS 59-539; S. C. Rit., Instruction, 25 May. 1967. Annotations in *Notitiae,* 3 (1967)-261-26S (Tillard, Lcguycr, Famoso); *Nouvelle Revue Theol.,* S0 (1967)–S62–S6S (Renwart).

Encyclical, *Mysterium Fidei,* on the Most Holy Eucharist. See c. 218, ref., Encyclicals.

Holy Eucharist: *Corpus Christi:* Allocution of Paul VI at Orvieto to celebrate the seventh centenary of the Apostolic Constitution *Transiturus* of Urban IV extending the feast of *Corpus Christi* to the universal Church, 11 Aug., 1964 (AAS 56-750). English version in *The Pope Speaks,* 10 (1964–65)–5–12.

CANON 806

Bination on Weekdays at Evening Mass (S. C. Sacr., 12 Sept., 1959) **Private.**

The Bishop of Fort Wayne asked for the faculty to permit his priests to binate on weekdays on the occasion of an evening Mass or in case of necessity because of a scarcity of priests.

Reply. On the 12 of September, 1959, the Sacred Congrega-

tion of tlie Sacraments, in virtue of faculties granted to it by His Holiness Pope John XXIII, having considered the recitals of the petition, graciously grants to the Ordinary of Fort Wayne the favor requested, provided the spiritual good of a notable part of the faithful require it and there be no other priest available to celebrate the second Mass, it being moreover forbidden to receive a stipend for the second Mass (can. 824), and observing the other requirements of law.

(Private); S. C. Sacr., 12 Sept., 1959. Published with the permission of the Most Reverend Leo A. Pursley, Bishop of Fort Wayne, through the kindness of the Right Reverend Monsignor Joseph Crowley, Editor, *Our Sunday Visitor.*

Permission to Celebrate Four Masses on Sundays and Holy Days (S. C. Prop. Fid., 19 Jan., 1967) Private.

Petition: The Ordinary of the Apostolic Vicariate of Grouard, prostrate at the feet of Your Holiness, humbly requests the faculty to permit priests in his territory to celebrate Mass *jour times* on Sundays and holy days of obligation whenever this seems opportune for the spiritual good of the faithful.

Reply: In virtue of faculties granted it by His Holiness, Pope Paul VI, and after attending to the recitals, the Sacred Congregation for the Propagation of the Faith graciously grants the favor as requested provided that care is had for the health of the priests and that the other requirements of law are observed.

The present grant is valid *jor five years* at the end of which time the petitioner should make a report on the use of the faculty.

(Private); S. C. Prop. Fid., 10 Jan., 1067, Prot. X 357-67; reported by the 1967 Committee on Research of the Canadian Canon Law Society.

Faculty to Permit Bination and Trination. Sec c. 329; Paul VI, 30 Nov., 1963, nn. 2, 3.

CANON 808

Eucharistic Fast: Reduced to one hour. See c. 858; AAS 57-1S6.

CANON 815

Addition of Sugar in Production of Altar Wine (S. C. Doct. Fid., 31 May, 1967) Private.

Question: At times the grapes are poor in natural sugar so that fermentation may produce a wine with an alcohol content of only 5 to 7 percent, insufficient for the stability of the wine in our [India] climate. Is it allowed to add sugar to the must? An addition of 70 grammes per litre of grape juice would raise the alcohol content of the wine by 4 percent, which seems sufficient for the stability of the wine.

Reply: This Sacred Congregation grants the permission asked for, on condition that the quantity of sugar added to the must does not exceed 10 or 12 percent. The sugar must be added before or during the fermentation.

(Private); S. C. Doct. Fid., 31 May, 1967, Prot. N. S49/67; reported in *The Clergy Monthly,* 31 (1967)-3O9.

CANON 818

Prayers at Foot of Altar (S. C. Rit., 5 Feb., 1966) Private.

Since article 48 *c* of the Instruction for Implementing the Constitution on the Liturgy states: "All the prayers at the foot of the altar are omitted whenever another liturgical service immediately precedes the Mass," the Sacred Congregation of Rites was asked:

Question: Whether these prayers may be omitted at the beginning of a conventual Mass in a community of Sisters bound to choir duty, immediately after the recitation of the divine Office by the Sisters, even though the celebrant did not take part in the recitation.

Reply: The S. C. of Rites, after having heard from the Commission for Implementing the Constitution on the Liturgy and having carefully considered the matter, replied: In the affirmative, 5 Feb., 1966.

(Private); S. C. Rit., 5 Feb., 1966. *Notitiae,* 2 (1966)-132.

Note: This concurs with another private reply of the same S. C. Rit.. of 8 November, 1965, reported above, p. 115.

Arrangement of Mass: Anticipated Sunday or Holy Day obligation. See c. 1248; S. C. Rit., 25 Sept., 1965.

Holy Communion: New formula for distributing. See c. 2; AAS 56-337.

Ordo Missae; Ritus Servandus; De Dejectibus: New editions announced. See c. 2; AAS 57-408.

Rite: revised: S. C. Rit., 27 Jan., 1965; not published in /1/15 but in special booklet form. Annotations in *Ephentcrides Lilurgicae,* 79 (1965)-122-143; *Nouvelle Revue Théol.,* 87 (196S)-632-64O (Tihon).

Rite: revised again in part. See c. 2; S. C. Rit., 4 May, 1967; old and new texts and rubrics published in parallel columns in special booklet issued by S. C. Rit., IS May, 1967. Prot. N. 21/967.

"Normative" Mass: Questions voted on; comparative outline with present-day Mass; general study of all phases of; reported in *Notitiae,* 3 (1967)-357-359, 371-380.

Priest With Failing Sight or Infirm: Faculty to let celebrate Mass. See c. 66; Sec. St., 6 Nov., 1964, nn. 2, 3, 5; c. 329; Paul VI, 30 Nov., 1963, nn. 5, 6.

Supplementary' Biblical Readings for Weekdays: Conditions for use. See c. 2; Cone. Com. Lit., 1965.

CANON 819

Sign Language At Mass (Cone. Com. Lit., 10 Dec., 1965) Private.

The following is the text of a letter from the Consilium for the Implementation of the Constitution on the Liturgy addressed :to Archbishop John F. Dearden of Detroit, Chairman of the U. S. Bishops' Commission on the Liturgical Apostolate.

On July 8 this year, the question of Mass for congregations of deaf persons was submitted to the Consilium by the American Bishops' Commission on the Liturgical Apostolate.

In November suggestions concerning the question were approved by the Bishops of the Consilium and the matter was put before the Holy Father on December 2.

The question revolved around the use of sign language. It was asked whether it was fitting: (1) that the readings should be commmunicated to the people by means of signs: (2) that the deaf people should reply, in those parts pertaining to the congregation, by means of signs.

It was asked in general whether sign language could be used in all those parts of the Mass that were in the vernacular, and

more specifically: (o) whether texts proffered by the celebrant could be at the same time spoken *and* signified with his hands; (ȯ) if in those texts that were said together by the celebrant and by the people, the people could follow the sign language of the celebrant, they themselves also using the sign language.

With great willingness and kindness, the Holy Father has given his full approval to these suggestions, and said moreover that sign language could be used with and by deaf people through the Liturgy, whenever it was judged to be pastorally desirable.

(Private); Cone. Com. Lit., 10 Dec., 1965; reported in *Jurist,* 26 <1966)-388.

CANON 821

Evening Mass Permitted on Occasion of Wedding or Funeral (Holy Office, 25 Feb., 1963) Private.

Petition: The Bishop of Lafayette, La., presented the following request to the Holy Office.

1. To permit the celebration of funerals and marriages in conjunction with the celebration of the evening Mass in the parishes where the evening Mass is already celebrated for the devotion of the faithful.

2. In view of the large number of faithful who are receiving the sacraments on the occasion of marriages and funerals and, therefore, for the good of the faithful, to permit the celebration of the evening Mass on the occasion of marriages and funerals when this is not possible in the morning.

Reply: In Your esteemed letter of January 31 past, Your Excellency asked if You could permit the celebration of the evening Mass on the occasion of marriages and funerals, and if that could also be done in those parishes where the evening Mass is already celebrated for the devotion and the good of the faithful.

I am pleased to inform You that the Supreme Sacred Congregation answered affirmatively to what was asked by Your Excellency and that, therefore, You will be able to permit under the above circumstances the celebration of Mass if it will benefit the "good of the faithful."

(Private); Holy Office, 25 Feb., 1963, Prot. N. D.E. 404/46-352; copy of both documents kindly sent us by the Rt. Rev. Msgr. Rudolph Arlanti, Chancellor of the Diocese of Lafayette, La.

Faculty to Permit Celebration of Mass at Any Hour. See c. 66; Sec. St., 6 Nov., 1964, n. 1; c. 329; Paul VI, 30 Nov., 1963, n. 4.

CANON 822

Crucifix on the Altar (Cone. Com. Lit.) Private.

Question: Is a crucifix still to be placed on the altar when the altar faces the people?

Reply: The prescription of the Code of Rubrics (RBMR)[1] n. 527, is, *per se,* still in effect: "In the middle of the altar there should be a rather large Cross with the Crucifix." And according to the *Caeremoniale Episcoporum* (lib. I, c. 12, n. 11), this cross "with the Crucifix should face the interior side of the altar."

However, the *Ritus servandus* in 1965 no longer prescribes that the priest raise his eyes to the cross during the celebration of Mass. Moreover, "the cross and candlesticks which are required on the altar for all liturgical services may also, in accordance with the judgment of the local Ordinary, be placed off the altar." (Instruction, n. 94.)[2]

If the altar is facing the people, it seems appropriate to make use of this faculty; otherwise either only the letter of the law is observed, by using a cross so small that it is sometimes almost invisible, or the cross prevents the faithful from properly seeing the rite, especially at the elevations and the *"per Ipsum."*

Off the altar, there are three possibilities: a processional cross placed in front of the altar facing the celebrant — which is not always in harmony with the other arrangements of the sanctuary; or a large cross either hanging from above or on the wall of the apse. In these last two cases there is no need of having another cross for the altar, but the one large cross is sufficient. In celebrations facing the people, this cross is not incensed in

1 Reported in Canon Law Digest, 5, pp. 24-120. I

2 The Instruction for the Proper Implementation of the Constitution on the Liturgy, 26 Sept., 1964, AAS 56-S77, is reported above, pp. 73-99.

the first place but later when the priest, going around the altar, stops before it at the far side of the altar.

(Private); Reply of the *Consilium,* that is, the Liturgical Commission, reported, without date, in *Notitiae,* 2 (1966)-29O-291. The Commission regularly prefaces its replies in the *Dubia* section of *Notitiae* with the reminder that they *do not have the force of law.* The above reply is from this section of *Notitiae.*

Altar and Mass Facing the People (S. C. Rit., 16 July, 1965) Private.

His Excellency, Philip Matthew Hannan, Titular Bishop of Hierapolis and Auxiliary Bishop and Vicar General of Washington, D. C., reverently proposed the following doubts to the Sacred Congregation of Rites for appropriate solution.

1. Whether permission of the local Ordinary is required to set up an altar facing the people?

2. Whether any priest whatever may celebrate Mass facing the people without permission of the Ordinary or the pastor?

Reply: The same Sacred Congregation of Rites, after mature consideration, replied to the proposed doubts:

To I. *In the affirmative.*

To II. *In the affirmative.*

(Private); S. C. Rit., 16 July, 1965; reported in *Notitiae,* 2 (1966)–1S3.

Faculty to Permit Use of Portable Altar. See c. 66; Sec. St., 6 Nov., 1964, n. 4; c. 329; Paul VI, 30 Nov., 1963, nn. 7-10; U. S. Apost. Del., 21 May, 1964.

CANON 823

The Use of the Papal Altars in the Patriarchal Basilicas of Rome (Paul VI, *Motu proprio,* 8 Feb.. 1966) AAS 58-119.

In this *Motu proprio, Peculiare ius,* Paul VI begins by summarizing the history of the privilege which reserves these altars to the Supreme Pontiff. Although based on a very ancient custom, this privilege was not at firs very strictly observed. In later

times the discipline became gradually more severe until the rule of law, based on the legislation of Benedict XIV, was adopted in the Code of Canon Law (canon 823, § 3).

The latter part of the preamble and the dispositive parts of the Letter are verbatim as follows:

However, the state of affairs at the present time seems to demand a certain relaxation regarding this privilege in the Patriarchal Basilicas of Rome. In the first place, We deem it appropriate that on the more solemn feasts of the Church, when there is a larger attendance of the people, the Mass should be celebrated in these Basilicas in an elevated and central place, so that, according to the mind of the Second Vatican Council, the altar *be truly the center to which the whole congregation oj the faithful spontaneously turn their attention.*1 Moreover, in this our day a great many congresses and conventions of Catholics are for various reasons being held in Rome, in which as a rule a great number of persons are interested. These generally come together at least once to assist at Mass in some church of very large capacity. Also, today groups of Christians from all over the world come to Rome for religious reasons in greater numbers than formerly; and, as they desire especially to visit the Patriarchal Basilicas and be present at Mass there, it is neces-sary' to have an altar that is sufficiently prominent.

Consequently, modifying to some extent the present law, We allow that the Eucharistic Sacrifice may be performed at the papal altar by other persons besides the Roman Pontiff, but according to the following regulations:

1. It is clear, of course, that no concession in this matter will be given for the Basilica in which the Supreme Pontiff has decided to celebrate Mass on that same day.

For obvious reasons this may often occur in the Basilica of Saint Peter's; hence permission will rarely be granted to celebrate Mass at the papal altar in this Basilica.

2. This concession of Ours applies only to the Patriarchal Basilicas that are in Rome: namely, the Archbasilica of the Lateran and the Basilicas of Saint Peter, Saint Paul, Saint Mary Major and Saint Lawrence outside the walls.2

1 Ci Instruction for the Proper Implementation of the Constitution on the Liturgy. 26 Sept., 1064. n. 01, reported above, p. 73.

2 In the preamble the Patriarchal Basilica at Assisi is also mentioned as

3. Only the following persons can make use of this concession:

«) Each of the Cardinal Archpriests in his own Basilica, or, if he is absent or unavailable, the Bishop who takes his place or is delegated by him;

b) In the Archbasilica of the Lateran, the Cardinal Vicar of Rome or the Bishop who takes his place;

c) In the Basilica of Saint Paul, the Abbot who is in charge of that church;

d) In the Basilica of Saint Lawrence outside the walls, the Abbot *"Commendatarhis";*

e) In any Patriarchal Basilica in Rome, any Bishop who is at the head of a large pilgrimage;

/) For these Patriarchal Basilicas of Rome it is Our intention not to derogate in any way from the privileges already possessed by some Prelates on certain feast days.

4. The reason for which this permission is given must always be a very large gathering of the faithful; either because of solemn ecclesiastical feasts of the first class; or because of congresses or conventions meeting for various purposes; or for a great pilgrimage to Rome.

5. Lest concessions of this type pile up one upon another, We think it necessary that they be given only by the one man who is in charge of the Basilica.

What We have decreed by this Our *motu proprio* Letter, We ordain to be in all respects firm and valid, all things to the contrary notwithstanding.

Given at Rome, from Saint Peter's, the Sth of February, in the year 1966, the third of Our Pontificate.

AAS 58-119; Paul VI, *Motu proprio,* 8 Feb., 1966. *Notitiae, 2* (1966)-204-208.

CANON 824

Stipend For Concelebrated Sung Mass (S. C. Cone , IS April, 1966) **Private.**

Question: The *Ritus Servandus in Concelcbratione Missae,* n. 10, states that the individual concélébrants may lawfully ac-

having this privilege *(peculiare ius)* of being reserved to the Pope, but it is clear that the relaxation of the privilege, as announced here, applies only to the Patriarchal Basilicas that are in Rome.

cept a stipend in accord with the law. However, in some areas a special stipend is offered by the faithful for a Mass which is to be celebrated as a sung Mass. Therefore, His Excellency, Ferdinando Antonelli, Secretary of the S. C. of Rites, raised the question whether the norm given in the *Ritus* for concélébration also obtains for a Mass of this kind.

Reply: Together with Your Excellency's letter, there arrived here copies of the opinions of three consultors regarding the stipend for a sung Mass in a case of concélébration, which is treated of in the *Ritus Servandus in Concelebratione Missae,* which was issued by your Sacred Congregation on 7 March, 1965.

In this regard, this Sacred Dicastery holds that the stipend referred to above pertains to the principal celebrant only and not to the other concélébrants. Wherefore, unless a contrary indication is expressed, a person who offers a stipend for the celebration of a sung Mass intends that such a Mass be celebrated by a single priest.

(Private); S. C. Cone., IS April, 1966, Prot. No. 105012/D; reported in *Notitiae,* 2 (1966)-330.

CANON 825

Conditioned Permission to Accept Stipends for Binated Masses (S. C. Sem. et Univ., 16 Sept. 1965) Private.

Following is a decree issued by the S. C. of Seminaries and Universities.

The Supreme Pontiff, Pope Paul VI, in the audience of 6 July, 1965, granted to the undersigned Cardinal Prefect of the Sacred Congregation of Seminaries and Universities, has, in view of the economic hardships under which the seminaries of some nations labor, kindly allowed, for a period of five years, that the Most Reverend Local Ordinaries may grant to priests celebrating Mass in their respective dioceses, the faculty to accept offerings for binated Masses on feast days and ferials on the condition, however, that the same Most Reverend Prelates destine the offerings to the diocesan seminary as wrell as to other diocesan needs. The power is also granted to provide for the inconvenience and poverty of the celebrating priests insofar as it shall be necessary.

It will be very praiseworthy if the local Ordinaries shall be pleased to remit part of these offerings to the Sacred Congregation of Seminaries and Universities to provide a subsidy to poorer seminaries.

Given at Rome, from the office of the Sacred Congregation of Seminaries and Universities, on 16 September, 1965.

(Private); S. C. Sem. et Univ., 16 Sept., 1965; copy of original text kindly sent us by the Chargé d'Affaires of the U. S. Apostolic Delegation with a letter dated 19 Oct., 1965, Prot. No. 189/42, informing us that the above faculty was granted to the local Ordinaries of the United States

CANON 828

Faculty to Reduce Masses. See c. 329; Paul VI, 30 Nov., 1963, nn. 11, 12. Stipend For Concelebrated Sung Mass. See c. 824; S. C. Cone., 18 April, 1966.

CANON 834

Gregorian Masses: Continuity of Celebration (S. C Cone., 24 Feb., 1967) AAS 59-229.

A declaration of the S. C. of the Council:

The series of "Gregorian Masses," when it is unexpectedly interrupted by an impediment (e.g., by illness) or for other reasonable cause (e.g., the celebration of a funeral or wedding Mass), by dispositive action of the Church continues to have the effects of suffrage for the deceased which the practice of the Church and the piety of the faithful have hitherto attributed to it, but the priest-celebrant remains obliged to complete the celebration of the thirty Masses as soon as possible.

The Ordinary, however, is to take opportune safeguards that no abuses creep into a matter of such great importance.

Given at Rome by order of the Supreme Pontiff, Paul VI, 24 February, 1967.

AAS 59 229; S. C. Cone., 24 Feb., 1967.

CANON 845

Lay Religious As Distributors of Holy Communion (S. C. Neg. Extraord., 24 Apr., 1965: S. C. Prop. Fid., 31 May, 1966; S. C. Sacr., 11 Nov., 1966) Private.

Following are three examples of special grants to lay religious to distribute Holv Communion under certain conditions and rites.

Women religious in only two parishes in Brazil were permitted to administer Holy Communion under the follow'ing conditions:

1. that the sacred minister is absent for a foreseen period of at least eight days;
2. that the faculty is granted only for the community chapel, for all the religious and all those who habitually frequent the chapel;
3. the sacred Eucharist is to be distributed by one or more religious women who have been designated for this ministry by the local Ordinary;
4. Holy Communion is to be given after all have recited together the prayer "Lord, I am not worthy" (in the Portuguese formula); the one who distributes is allowed to say: "The Body of Christ."
5. this faculty is to be used with the express permission of the local Ordinary and subject to his vigilance.
6. the faculty is granted *ad experimentum* for one year, unless the Holy See before the expiration of that time has made some more definite regulation.

(Private); S. C. Neg. Extraord., 24 Apr., 1965; reported in *Commentarium pro Religiosis,* 45 (1966)–337.

II

In a reply to the Ordinary of the Apostolic Vicariate of Grouard, Canada, the following rite was set down for women religious who are authorized to distribute Holy Communion:

The Superioress who is to perform the sacred rite recites with the Sisters and faithful the *Confiteor* (omitting the words "To you. Father") and the *Lord, I am not worthy.* Then, after she has given Communion to herself, she distributes the sacred particles saying to the individual communicants: "The Body of Christ" to which each responds "Amen." The Superioress, moreover, is to wear her religious habit, wash her hands before distribution and, upon completion of the rite, purify her fingers in the lavabo dish.

(Private); S. C. Prop. Fid., 31 May, 1966, Prot. N. 5106/65; reported by the 1967 Committee on Research of the Canadian Canon Law Society.

Ill

Petition: The Bishop of Hauterive, prostrate at the feet of Your Holiness, humbly requests the faculty to permit the Superiors of lay religious men and of women religious resident in his diocese, to distribute Holy Communion to themselves as well as to the other religious and to members of the faithful who may happen to be present, but only in the chapel of the religious house and only if a priest or deacon is not had.

Reply: On 11 November, 1966, the Sacred Congregation of the Sacraments, in virtue of special faculties granted to its Cardinal Prefect by His Holiness, Paul VI, after attending to the special circumstances of the case, grants the petitioner the special faculty as requested provided that it is foreseen that a sacred minister will not be had for several *{aliquot)* days: that all danger of irreverence to the Holy Eucharist is removed; and that every safeguard be used in the exercise of this faculty, and especially that the instruction sent by this Sacred Congregation in its letter of 7 May, 1966 to the Apostolic Nuncio of that countrv be observed.

Everything to the contrary notwithstanding. The present grant is valid *jor three years.*

Private); S. C. Sacr., 11 Nov., 1966, Prot. N. 2350/66. An identical reply was also sent to the Bishop of Amos, Canada, 6 Sept., 1966, Prot. N. 1479/66. Both reported by the 1967 Committee on Research of the Canadian Canon Law Society.

CANON 849

Holy Communion: Sick, in hospitals. See c. 2: AAS 58-525.

CANON 852

Holy Communion Through a Tube (Holy Office) Private.

Prot. 404/350

Petition: The Bishop of------, humbly prostrate at the feet of Your Holiness, requests in behalf of ------, afflicted with an incurable illness and unable to receive either solid or liquid nourishment except through a tube fitted into his stomach, the privilege of receiving the Holy Eucharist by the following artificial means. . . .

Reply: His Holiness Pope John XXIII, in an Audience granted to His Eminence the Cardinal Secretary of the Holy Office, graciously allowed the privilege to be left to the prudent judgment and conscience of the Bishop of------, who may permit ------ to receive the Holy Eucharist by the artificial means described in the petition, only in danger of death and outside of this danger only for satisfying his Easter duty, provided that:

1. Reverence for the Blessed Sacrament is maintained, and therefore not only should care be taken for the cleanliness of the tube before administering Holy Communion, but also every danger is to be avoided lest the Sacred Species reach the stomach and remain there undissolved.

2. Decency and modesty are preserved, so that in performing the sacred rite nothing is done which would offend in any way the norms of decency or modesty.

3. Danger of scandal or wonderment of the faithful is eliminated, and for this reason the Holy Communion should be administered privately with the intervention only of those who may be absolutely necessary for the proper administration.

All things to the contrary notwithstanding.

(s) Sebastiano Masala

(Seal, Holy Office)

(Private); Holy Office, no date given; Prot. 404/3S0. Reported in the *Honiilrtic and Pastoral Review* for February, 1964, volume 64. pages 442 and 444.

Permission Granted to Receive Communion Under Species of Wine Through Tube (Holy Office, 20 Sept., 1961) Private.

In your letter of 28 August of this year, Your Excellency requested that N.N. be allowed to receive the Holy Eucharist under the species of wine through a tube inserted into the stomach.

In this regard I wish to inform you that this Supreme Sacred Congregation, after mature consideration of all the circumstances of the case, agrees that the Holy Eucharist may be administered to N.N. under the species of wine provided it is impossible for the person to receive Communion under the species of bread. However, in order that the administration of Communion under the species of wine may take place safely and becomingly, this Supreme Sacred Congregation has decided to annex the following instruction.

The wine which is to be consecrated can be placed in some container (gold or silver) such as the small container in which the oil for anointing *(oleum infirmorum)* is kept. At the upper edge of this container should be constructed a kind of spout so that the species of wine can be more easily and securely poured into the tube.

The container with the unconsecrated wine should be placed on the altar. The wine should be consecrated in this container so that after the consecration all "manipulations" can be avoided. Then the consecrated wine can be carried in the said container without danger of being spilled. It should be carried in the same way and with the same rite as in the case of a consecrated host.

When about to pour the species of wine, the priest should place a purificator at the mouth of the tube and slowly pour the wine through the spout into the tube. \\rhen the sacred species have been administered, some wine or water should be at once put into the empty container to purify it (just as the priest is accustomed to do after the reception of the Precious Blood in the celebration of Mass). This ablution should be given to the patient so that in this way there is also a purification of the tube

Moreover, Your Excellency should notify the priest who is to administer Communion to the said patient that a few drops of wine do not suffice to administer the sacrament but that a quan-

tity of wine is required such as is ordinarily used at Mass. Otherwise, there is danger that all the wine poured in may adhere to the inner wall of the tube and none reach the stomach.

(Private) ; Holy Office, 20 Sept., 1961, Prot. N. 414/61. Copy of the rescript kindly sent us by the Most Reverend Loras T. Lane, Bishop of Rockford, through the Rev. David J. Rock, Tribunal Secretary.

Note: The same permission with the same directions was granted for a woman religious. Holy Office, 18 May, 1964, Prot. No. D. E. 404/46-567; notice kindly sent us by the V. Rev. Msgr. Robert W. Schiefen, Vicar General of the Diocese of Miami.

Permission to Receive Communion Under Species of Wine Through Nasal Tube Refused (S. C. Sacr., 14 Mar., 1964; Holy Office, 16 Nov., 1965) Private.

Petition: I the undersigned Episcopal Ordinary of the Diocese of Little Rock, respectfully request an unusual favor on behalf of C.G., a member of this diocese.

C.G., almost sixty years of age, has a brain tumor and is not expected to live long; his is a terminal case. Because of this tumor, Mr. G. can swallow nothing; he can only receive liquids through a tube in his nose. Not even the slightest particle of anything solid can be administered through this tube.

Mr. G. is most anxious to receive Holy Communion; this would be possible only if he could receive our Eucharistic Lord under the sacred species of wine. If this meets with the approval of Your Holiness, it is suggested that the sacred species be brought from the altar to the home in a glass vial.

Reply: Relative to the petition of Your Excellency on 3 February, 1964, in which you request the faculty to permit C.G. of your diocese to receive Holy Communion under the species of wine by means of a tube because of ill health, this Sacred Congregation replies:

"The faculty cannot be granted because lacking is the process of eating which is necessarily required for receiving Holy Communion."

(Private) ; S. C. Sacr., 14 Mar., 1964, Prot. No. 267/64.

Note: After receiving the above unfavorable reply from S. C. Sacr., the same case was presented to the Holy Office which returned a

favorable decision (16 Oct., 1964, Prot. No. D. E. 404/46-629) with the same instructions as reported above in the Holy Office reply of 20 Sept., 1961.

Relative to the S. C. Sacr. reply, John J. Lynch in *Theological Studies,* 26 (1965)–279, shows that this reply, supported only by the reason given for it, is inconsistent with the reply of 20 Sept., 1961. Cf. also Rheidt. O.M.I., in *Homiletic and Pastoral Review,* 65 0964-65)-106.

Subsequent to these replies, the same local Ordinary submitted an identical case directly to the Holy Office and made explicit reference to the rescript D. E. 404/46-629.

Reply: It is my duty to inform you that this Supreme Congregation, after subjecting the petition to mature examination, has passed this decision:

"In view of special circumstances, it is not expedient/"' since such an unusual manner of administering the sacred species would bring along with it the danger of wonderment and would not sufficiently provide for the reverence due the Sacrament.

Therefore, Your Excellency will please communicate this decision to the said pious member of the faithful and, at the same time, with the pastoral care so characteristic of you, exhort him to compensate himself by a devout spiritual communion.

(Private) ; Holy Office, 16 Nov., 1965, Prot. No. D. E. 404/46-667. Copies of all the above replies kindly sent us by the V. Rev. Msgr. Lawrence P. Graves, *Officialis* of the Diocese of Little Rock.

Communion Under Both Species. See c. 2; AAS 57-410.

Rite of, in *Ritus Servandus in Concelebratione Missae et Ritus Communionis Sub Utraque Specie,* S. C. Rit., 7 Mar., 1965, Prot. No. U5/965; not published in /L4S but in special booklet form. Annotations in *Ephemerides Liturgicae,* 79 (1965)–185–235 (Braga); *The Jurist,* 25 (1965)-326-329 (Bishop).

CANON 857

Communion More Than Once on Same Day. See c. 2; S. C. Rit., 26 Sept., 1964, n. 60.

Communion Twice on the Same Day. See c. 2, Sacred Ministers, Cone. Com. Lit., May, 1965.

CANON 858

Eucharistic Fast Reduced to One Hour (Paul VI, 21 Nov., 1964) AAS 57-186.

At the close of the third session of the Second Vatican Council Pope Paul VI announced the following new regulation for the eucharistie fast:

In view of the difficulties felt in many countries concerning the eucharistie fast, the Supreme Pontiff, graciously acceding to the petitions of the Bishops, grants that the fast from solid foods be reduced to one hour before Communion, for both priests and the faithful. In this grant is included also the use of alcoholic drinks, observing, however, due moderation.

This was published in *L'Osservatore Romano* as the exact text of the announcement. In the commentary which follows in *L'Osservatorc* (without signature), it is stated that this rule goes into effect at once without the usual *vacatio legis.*

AAS 57-186; Paul VI, announcement in Vatican Council, 21 Nov., 1964; reported in *L'Osservatorc Romano,* 4 Dec., 1964, p. 2. Annotations, *Commentarium pro Religiosis,* 44 (1965)-199-200 (Diez).

Cathechism of Pius X: The new formula for n. 339 concerning the eucharistie fast is as follows:

Q. In what does the eucharistie fast consist?

R. The eucharistie fast consists in abstaining from all food and from all drink for one hour before Communion.

S. C. Cone., notification, 18 June, 1965 (AAS 57-666).

Eucharistic Fast: Dispensation from prescribed time reserved to Holy See. See c. 329, IX, 20; AAS 58-469.

Duration for Priest Celebrant computed up to time of his Communion. Holy Office, 10 Jan., 1964 (AAS 56-212). IE

Faculty to Permit Drinking Liquids Less Than Hour Before Celebrating Mass. See c. 329; Paul VI, 30 Nov., 1963, n. 3.

CANON 863

Frequent Communion in Oriental Rites. See c. 1; Cone. Vat. II., 21 Nov., 1964, n. 15. v'!

CANON 867

Distribution of Communion: Time for. See c. 66; Sec. St., 6 Nov., 1964, n. 1; c. 329; Paul VI, 30 Nov., 1963, n. 4.

CANON 870

Public Confession of Sins. See c. 901, ref.

CANON 874

Diocesan Decrees Enlarging Delegated Jurisdiction for Confessions: A number of diocesan decrees enlarging jurisdiction for confession are reported in an article by Beyer in *Periodica, 52* (1963)-391-410. The general principle which is applied, with various modifications, in these decrees, is this: a priest, secular or religious, who has the faculty to hear confessions in his own diocese (i.e. respectively, of incardination or of stable residence), is given the same faculty either in Rome (by the Roman Synod), or in the whole country or ecclesiastical province, or at least in certain dioceses adjoining the proper diocese of the priest.

The Roman Synod. The decrees of the Roman Synod are quite complicated (cf. Navarrcte in *Periodica,* 50, 1961, 160 ff.), yet they do in various ways provide for a wider delegated power to hear confessions.

Germany. In Germany this tendency dates from 1917 in the diocese of Cologne, and since then has gradually spread to many other dioceses. Father Beyer cites a decree of 1961 from the diocese of Osnabrück *(Kirchliches Amtsblatt für die Diôzese Osnabrück,* 33, 1961, p 212, a. 387), by which, through the mutual agreement of twelve dioceses, a priest approved for confessions in any one of them is given the same faculty in all of them.

Belgium. Belgium has an almost ideal arrangement, extending the principle to the entire country. The decree reads in part as follows:

All priests, secular or religious, who have jurisdiction for at least a year for any entire diocese of Belgium, have the same jurisdiction, except as regards reserved sins and penalties, in all the other dioceses of Belgium. (Cf. *Collectio Epistolarum pastoralium,* 28, 1961: Epist. Card. Suenens, 1, 1961, 31-33).

Japan, Canada. Other countries whose dioceses in their decrees exhibit this same tendency to enlarge the faculties for hearing confessions, arc Japan and Canada.

Father Beyer praises these decrees as far as they go, but believes that they do not go far enough. What is needed in our time is that the faculty to hear confessions *anywhere in the world* be given to all priests who have the faculty to hear confessions in their own diocese. This could be done only by the supreme authority of the Church when the new and revised Code of Canon Law is enacted. As a possible formula for a new canon, Beyer suggests the following:

"Sacerdos ab Ordinario suo (vel ab Ordinario loci suo) approbato eadem facultate in fidelium confessiones audiendas ubique gaudet."

In the meantime Bishops' Conferences in various other countries could find in the decrees cited in this article some guidance toward the formulation of a *simple and clear* decree enlarging the faculty to hear confcs-

sions throughout the whole extent of their ecclesiastical provinces.
Territorial Extent of Confessional Jurisdiction in Oriental Rites. See c. 1; Cone. Vat. II., 21 Nov., 1964, n. 16.

CANON 875

Faculty to Grant Confessional Jurisdiction. See c. 66; Sec. St., 6 Nov., 1964, n. 12.

CANON 901

Public Confession of Sins. An Instruction of the Bishops of Holland to their clergy', 16 March, 1965, may be summarized in the following points:

1. Public celebrations of penance are approved.
2. They must not be at the expense of private individual confessions.
3. In private sacramental confessions the atmosphere should be one of prayer and peace, not haste and routine.
4. The Church has always taught that the penitent, even before making his sacramental confession, can obtain forgiveness by the sincerity of his repentance.
5. In public celebrations of penance, a general prayer for mercy and pardon from God is quite in order, but the sacramental form of absolution should not be used.
6. For various reasons, including the large number of persons, it is not advisable to have individual confessions on the same occasion as the public celebrations. But this may be done when the gatherings are smaller, as for a restricted community.
7. In sacramental confession, the obligation of confessing all grave sins of which the penitent is conscious, must be clearly maintained.
8. Any question concerning the sacramentality of public celebrations of penance must be ultimately decided by the *magisterium* of the Church.

The full text of this Instruction (French translation from the original Dutch) is in *Documentation Catholique,* 62 (1965)-1174-1175.

CANON 904

Solicitation: Dispensation from obligation to denounce reserved to Holy See. See c. 329, IX, 5; AAS 58-469.

CANON 912

Indulgences Attached to Objects With Blessing (S. Paen., 6 March, 1965) AAS 57-547.

A declaration of the Sacred Penitentiary:

The Sacred Apostolic Penitentiary declares that all priests who in virtue of faculties granted to them by the Instruction for Implementing the Constitution on the Liturgy, duly bless with the prescribed formula the objects mentioned in the Roman Ritual, Tit. IX, cap. X. n. 4 and cap. XI, n. 2 and the following numbers, attach to those same objects, until otherwise provided, the indulgences which are now in effect.

When this was reported to His Holiness Paul VI by divine Providence Pope, in the Audience had by the undersigned Cardinal Major Penitentiary on 2nd of February of this year, His Holiness approved and confirmed the declaration and permitted that it be published, and at the same time graciously deigned to decree that it be effective from the 7th of March, 1965.

Given at Rome, from the Sacred Penitentiary, 6 March, 1965.

AAS 57-547; S. Paen., 6 March, 1965.

CANON 914

Papal Blessing at First Mass by Newly Ordained Priest (S. Paen., 5 Nov., 1964) AAS 56-953.

A decree of the Sacred Penitentiary is as follows.

His Holiness, Pope Paul VI, gladly acceding to requests which have been made to him to manifest his solicitude toward newly ordained priests, has deigned to provide that every newly ordained priest, when he celebrates his first Mass with a certain amount of solemnity, can give the papal blessing together with the plenary indulgence attached thereto once only and only outside of Rome and using the formula found in the Roman Ritual. The indulgence can be gained by the faithful who, with confession and Communion, piously assist at the Mass, devoutly receive the blessing and pray for the intention of the Pope.

This provision is *forever* valid from the present moment without need of an apostolic letter in the form of a brief.

All things to the contrary notwithstanding.

Given at Rome, at the Sacred Apostolic Penitentiary.

AAS 56-953; S. Paen., 5 Nov., 1964. Annotation in *Sal Terrae,* 53 (1965)-178-179 (Rcgatillo). '.

Note: The formula for this blessing can be found in *Rituale*

Romanum, tit. IN, cap. X, n. 1; P. T. Weller: *The Roman Ritual* (Milwaukee: Bruce, 1964), p. 450, n. 14.

Papal Blessing with plenary indulgence: Faculty for all local Ordinaries for Year of Faith, 29 June, 1967, to same date, 1968. S. Paon., 28 June, 1967 (AAS 59-764). English version in *Australasian Cath. Record,* 45 (1068)-8.

CANON 924

Apostolic Indulgences of Paul VI: The Apostolic Indulgences which Paul VI, in the audience of 27 June, 1963, to the Cardinal Major Penitentiary, graciously granted to the faithful who possess some object of piety or devotion blessed by him or by a priest having the faculty, and who fulfill the special conditions imposed, were published in the *Acta Apostolicae Sedis* for 1 Aug., 1963 (AAS 55-657 to 659). The list itself may not be published in any language without special permission of the Holy See (canon 1388 §2). The conditions for gaining the indulgences, besides performing some one of the specified good works, arc as follows:

1. The objects which are capable of receiving the blessing for the Apostolic Indulgences are only beads, rosaries, crosses, crucifixes, small religious statues, sacred medals, provided they are not made of tin, lead, blown glass bubbles, or other similar materials which arc easily broken or worn out.

2. Images of Saints may not represent any but those that arc duly canonized, or mentioned in approved martyrologies.

3. In order that one may be able to gain the Apostolic Indulgences it is necessary that he carry on his person or keep in a proper way at home some one of the objects blessed by the Supreme Pontiff himself or by a priest having the faculty.

4. By express declaration of His Holiness, the grant of the Apostolic Indulgences does not in any way detract from Indulgences which the Supreme Pontiffs may have granted in other ways for the prayers and pious exercises or works mentioned.

Given at Rome, from the Sacred Apostolic Penitentiary, 27 June, 1963 (AAS 55-657). The full text of these Apostolic Indulgences, in an English version was published in *Review for Religious,* 23 (1964)-3-5.

CANON 925

Law of Indulgences Revised (Paul VI, Ap. Const., 1 Jan 1967) AAS 59-5.

The apostolic constitution *Indulgentiarum doctrina* begins by declaring that the doctrine of indulgences as understood in the Church is based on divine revelation handed down by the the dogmatic Constitution of Vatican Council II, *Dei Verbum,*

n. 8. For the better understanding and salutary use of this doctrine, the apostolic constitution then goes on to state in detail the truths of the Catholic faith on this subject, with abundant footnotes from Sacred Scripture, the Fathers and papal documents. Without attempting to report or summarize this,[1] we translate verbatim section V and the Norms.

12. The following norms, composed after receiving suggestions from the Conferences of Bishops, make some appropriate changes in the discipline of indulgences.

The provisions of the Code of Canon Law and the decrees of the Holy See on indulgences remain in effect as far as they agree with the new norms.

In drawing up these norms, three aims especially were kept in view: to provide a new measure for partial indulgences, to make an appropriate reduction of plenary indulgences, and to simplify and improve the rules regarding the so-called real and local indulgences.

For a partial indulgence, the old way of measurement by days and years has been abandoned and a new way devised, which takes into consideration the very act of the person who performs the indulgenced work.

By his act a person — besides the merit, which is the principal fruit of the act — can also gain a remission of temporal punishment in proportion to the love with which the act is done and the excellence of the work itself. Hence it was decided to take this very remission of punishment, which the person gains by his act, as the measure of the remission of punishment which ecclesiastical authority generously adds to it by a partial indulgence.

As for plenary indulgences, it was deemed timely and appropriate to diminish their number so that the faithful might have a proper esteem for such an indulgence and gain it with the required dispositions. For things that occur frequently receive little attention; what is lavishly offered is little valued: and the faithful generally need an appropriate amount of time to prepare themselves properly to gain a plenary indulgence.

Real and local indulgences have not only been much reduced

[1] For an English version of the first four sections of this document, see *The Pope Speaks,* 12 (1Q67)-124-132.

in number but their very name has been dropped in order to make it more obvious that it is the actions of the faithful that gain indulgences, and not the things and places, since these are merely occasions for gaining them. Besides, the members of pious associations can gain the indulgences specially granted to their associations by fulfilling the works without the need of wearing the insignia.

NORMS

1. An indulgence is the remission before God of the temporal punishment due for sins whose guilt has already been forgiven, which one of the faithful, properlj' disposed and having fulfilled certain definite conditions, gains through the Church, which, as the minister of redemption, authoritatively dispenses and applies the treasure of satisfaction of Christ and the Saints.

2. An indulgence is partial or plenary according as it frees from the temporal punishment due to sin either in part or completely.

3. Indulgences, both plenary and partial, can always be applied to the deceased by way of suffrage.

4. A partial indulgence shall in future be designated only by the words "partial indulgence," without any additional specification of days or years.

5. A Christian who, with at least a contrite heart, performs a work which is enriched with a partial indulgence, receives through the Church as much remission of temporal punishment as he has already gained by his act.

6. A plenary indulgence can be gained only once in a day, except as provided in n. 18 for persons on the threshold of death.

But a partial indulgence can be gained several times in a day unless there is an express provision to the contrary.

7. To gain a plenary indulgence it is necessary to perform the work to which the indulgence is attached and to fulfill three conditions, namely: sacramental confession, eucharistie Communion and prayer according to the intention of the Supreme Pontiff. It is moreover required that all affection toward any sin whatever, even venial, be excluded.

If the required disposition is lacking or the aforesaid conditions are not fulfilled, the indulgence will be only partial, except as provided in n. 11 for persons who are lawfully prevented *(impediti')*.

8. The three conditions can be fulfilled several days before or after the performance of the prescribed work; but it is proper that the Communion and the prayer according to the intention of the Supreme Pontiff be done on the very day on which the work is performed.

9. Several plenary indulgences can be gained by a single sacramental confession, but only one is gained by a single eucharistie Communion and a single prayer according to the intention of the Supreme Pontiff.

10. The condition of praying according to the intention of the Supreme Pontiff is completely fulfilled if a *Pater* and *Ave* are recited once for the intention, but any of the faithful may recite any other prayer according to each one's piety and devotion to the Roman Pontiff.

11. Without prejudice to the faculty given to confessors by canon 935 of the Code of Canon Law to commute both the prescribed works and the required conditions in favor of *"impediti,"* local Ordinaries can grant to the faithful over whom they have authority according to law, if they live in places where it is impossible or very difficult to go to confession and communion, the faculty to gain a plenary indulgence without an actual confession and communion, provided they are truly contrite and resolve to receive these sacraments as soon as they can.

12. The distinction of indulgences according to persons, things and places is no longer used, so as to show more clearly that it is the actions of the faithful that are enriched with indulgences, even though these are sometimes connected with a certain thing or place.

13. A schedule of indulgences will be drawn up with the intention that only the principal prayers and the principal works of piety, charity and penance shall have indulgences attached to them.

14. The schedule and summaries of indulgences of religious Orders, Congregations, Societies living in common without vows, Secular Institutes and pious associations of the faithful, shall, as soon as possible, be revised so that a plenary indulgence can be gained only on certain days to be determined by the Holy See, as proposed by the Superior General, or in the case of associations, by the local Ordinary.

15. In all churches, public oratories and, for persons who

legitimately use them, also semipublic oratories, a plenary indulgence applicable only to the deceased may be gained on the 2nd of November.

In parish churches a plenary indulgence can also be gained twice in the year: on the church's titular feast and on the 2nd of August when the indulgence of the "Portiuncula" occurs, or on a more convenient day to be fixed bv the Ordinary.

All these indulgences can be gained either on the days above mentioned or, with the consent of the Ordinary, on the preceding or following Sunday.

The other indulgences which are attached to churches or oratories will be revised as soon as possible.

16. The prescribed work for gaining a plenary indulgence which is attached to a church or oratory is a pious visit to it, in which the Lord's prayer and the symbol of the faith *(Pater* and *Credo)* are recited.

17. A Christian who with a pious intention makes use of an *object of piety* (crucifix, cross, rosary, scapular, medal) duly blessed by any priest, gains a partial indulgence.

If the *object oj piety* was blessed by the Supreme Pontiff or by any Bishop, the Christian who uses it with a pious intention can also gain a plenary indulgence on the feast of the holy Apostles Peter and Paul, adding, however, a profession of faith according to any legitimate formula.

18. If no priest is available to give to a Christian in danger of death the sacraments and the apostolic blessing with the plenary indulgence mentioned in canon 468 § 2 of the Code of Canon Law, Holy Mother Church graciously grants him. if he is rightly disposed, a plenary indulgence to be gained at the moment of death, provided that during life he habitually said some prayers. For gaining this plenary indulgence it is praiseworthv to use a crucifix or a cross.

A Christian can gain this plenary indulgence at the moment of death even if he has already gained another plenary indulgence on that same dav.

19. The norms concerning plenary indulgences, especially the rule stated in n. 6, apply also to those plenary indulgences which have hitherto been commonly designated as *"toties quoties."*

20. Holy Mother Church, ever most solicitous for the faithful departed, while abrogating any privilege whatsoever in this

matter, decrees that these departed souls be most abundantly aided by every sacrifice of the Mass.

These new norms for gaining indulgences shall go into effect at the expiration of three months from the day on which this Constitution is published in the *Acta Apostolicae Sedis.*-

Indulgences attached to the use of *objects oj piety,* if they are not mentioned above, cease at the expiration of three months from the day on which this Constitution is published in the *Acta Apostolicae Sedis.*

The revisions mentioned in nn. 14 and 15 must be presented to the Sacred Apostolic Penitentiary within a year; at the end of two years from the date of this Constitution, those that have not been confirmed will lose all validity.

We wish these statutes and prescriptions to be and remain firm and effective now and in the future, notwithstanding, if such case exist, any apostolic constitutions and ordinances made by Our Predecessors and any other prescriptions, even those worthy of special mention and derogation.

Given at Rome, from Saint Peter's, the first day of January. Octave of the Nativity of our Lord Jesus Christ, in the year 1967, the fourth of Our Pontificate.

AAS 59-5; Paul VI, Ap. Const., 1 Jan . 1967. Annotations in *American Eccles. Review,* 156 (1967)—229—241 (Connell); *Ami du Clerge,* 77 (1967)—305-319 (Larnicol) ; *Australasian Cath. Record,* 44 (1967)—124—133 (Madden); *Clergy Review,* 52 (1967)—3S1—3SS (McReavy) ; *Irish Eccles. Record,* 10S (1967)—273—275, 344-346, 41S-421 (Cunningham): *Nouvelle Revue Theol.,* 89 (1967)-3OS-314 (Dumont); *Sal Terrae, 55* (1967)—667—6S9 (Regatillo).

Divine Office: Indulgences, partial and plenary, to be gained by clerics and religious of both sexes for reciting a certain prayer (Latin text given) before saying the Divine Office, the Little Office of the Blessed Virgin, or any Office prescribed by the Constitutions. S. Paen., 13 Jan., 1966 (AAS 58-332).

Extraordinary Post-Conciliar Jubilee. Indulgences. Sec c. *222;* AAS 57-946 and AAS 57-1018.

Jubilee: Postconciliar, extended. Sec c. 222; AAS 58-108. Power to commute works. Sec c. 222; AAS 58-105.

-The date of publication was 30 January 1967; hence the effective date is 30 April 1967.

Indulgences: To clerics and religious men and women, if before the Divine Office or the Little Office of the Blessed Virgin, or any Office which is to be recited according to their Constitutions, they devoutly recite the above prayer, His Holiness Paul VI graciously grants the following Indulgences: 1. partial of 500 days to be gained at least with a contrite heart; 2. plenary, under the usual conditions if they recite it daily for a whole month. The present grant to be good until the close of the said Ecumenical Vatican Council. S. Paen., 3 Oct., 1963 (AAS 55-898).

Portiuncula Indulgence: Letter, Paul VI, 750 years after first concession, 14 July, 1966 (AAS 58-631).

Prayer for Success of Council, to Be Recited before Divine Office:

Latin text: Maiestati tuae, Domine Deus, hoc sacrificium laudis offerimus: et, cum famulo tuo Pontifice nostro Paulo devoto mentis obsequio coniuncti, immensam tuam oramus pietatem, ut Oecumenicum Concilium Vaticanum Secundum benigno respicias vultu et eius exitum tuae ubertate gratiae fecundes. Per Christum Dominum Nostrum. Arnen.

Prayer of Clerics for Vatican Council: S. Paen., 28 Oct., 1963 (AAS 55-1053).

Prayer to Be Recited by Priests for the Missions: Indulgenccd, S. Paen., 18 July, 1963 (AAS 55-659).

Queen of Christian Families: Invocation to the Blessed Virgin under this title indulgenccd. S. Paen., 9 Jan., 1963 (AAS 55-56).

Way of Cross: Faculty to erect. See c. 329; Paul VI, 30 Nov., 1963, n. 30.

CANON 935

Jubilee: Postconciliar: commutation of works. See c. 222; AAS 58-105.

CANON 946

Permission for Priests to Carry Oil of the Sick (S. C. Rit., 4 March, 1965) AAS 57-409.

The Church, loving Mother that she is, supplies her children with arms for victory even when they are in extreme danger of death, strengthening them for their final battle and for victory. Seeing that in these days there are greater and more unforeseen dangers to life, many Bishops, in order to obtain salvation for the faithful in their last struggle, have asked the Supreme Pontiff, notwithstanding canon 946, to grant to all priests the faculty of carrying with them the oil of the sick, especially when they travel by various kinds of conveyances.

His Holiness Paul VI by divine Providence Pope, after receiving a report on the matter from the undersigned Cardinal Prefect of the Sacred Congregation of Rites in the Audience granted to him on the 4th of March of this present year, in view of the special circumstances, graciously granted to all local Ordinaries the faculty to permit priests to carry with them the sacred oil of the sick, duly blessed and properly cared for, when circumstances make it advisable.

All things to the contrary notwithstanding, 4 March, 1965. AAS 57-409; S. C. Rit., 4 March, 1965. Annotations, *Sal Terrae,* 53 (1965)-505-508 (Regatillo); *Commentarium pro Religiosis,* 44 (1965)–202–204 (Diez); *Monitor Ecclesiasticus,* 91 (1966)-240-250 (Masi).

CANON 964

Faculty to Issue Dimissorial Letters. See c. 66; Sec. St., 6 Nov., 1964, n. 11.

CANON 973

Restoration of the Permanent Diaconate (Paul VI. *Motu Proprio,* 18 June, 1967) AAS 59-697.

This *motu proprio* apostolic letter, *Sacrum Diaconatus Ordinem,* has the heading: General Norms for Restoring the Permanent Diaconate in the Latin Church.

The Catholic Church has held the sacred Order of the diaconate in highest honor since the time of the Apostles: the Doctor of the Gentiles himself gives evidence of this when he addresses his greeting to the deacons as well as to the Bishops (cf. Phil 1:1) and when he instructs Timothy on the virtues and qualities of soul that should be expected of them if they are to carry out their ministry worthily. (Cf. 1 Tim 3:8-13).

The Second Vatican Council has carried on this ancient custom by praising the diaconate in the dogmatic Constitution on the Church. After considering Bishops and priests in that document, it also paid tribute to the third rank of sacred Orders by explaining its dignity and listing its functions. But since the Council understood very well that "these duties which are very

necessary for the life of the Church can be fulfilled only with difficulty in many regions, because of the discipline of the Latin Church prevailing today," and since it wanted to make better provision for something as desirable as this, it wisely decreed that "in time to come, the diaconate could be reinstated as a distinct and permanent rank of the hierarchy" *(Lumen Gentium,* n. 29).

For even though some of the functions of deacons are usually committed to laymen, especially in missionary lands, still "it is helpful to strengthen, by the imposition of hands — which goes back to apostolic tradition — and to link more closely with the altar, men who are to perform truly diaconal functions ... so that through the sacramental grace of the diaconate they will be enabled to fulfill their ministry more effectively" (Decree, *Ad Gentes,* n. 16). This will be ideal to highlight the special nature of this Order, which should not be regarded as just a step toward the priesthood, but rather as enriched with an indelible character and a special grace of its own so that those who are called to it can "serve the mysteries of Christ and the Church" *(Lumen Gentium,* n. 41) in a stable fashion.

But since the restoration of the permanent diaconate in the Latin Church is not something that has to be put into effect, but rather "it is up to competent territorial conferences of Bishops ... to decide, with the approval of the Supreme Pontiff, whether and where it would be opportune to appoint deacons of this type for the care of souls" *(ibid.,* n. 29), We have decided that it is not only desirable but necessary that some well-defined rules be published adapting existing discipline to the new precepts of the Ecumenical Council, and to prescribe the right conditions for the proper exercise of the diaconal ministry and for a training of candidates which will be properly suited to their varying states of life, their common offices and their sacred dignity.

To begin with. We want to confirm all that is said in the Code of Canon Law about the rights and duties of deacons, either those rights and duties which they have in common with all clerics or those proper to themselves, except where We here state otherwise, and We decree that these rules are to apply to those who are to be permanent deacons as well. In addition We make the following provisions concerning them.

I

1. It is the function of legitimate episcopal conferences to decide, with the consent of the Roman Pontiff, whether and where the diaconate is to be established as a permanent rank in the hierarchy for the good of souls.

2. Tn submitting requests for the approval of the Apostolic See, the reasons should be given which make this new discipline advisable in a given area, and those special aspects should be stated which afford genuine hope for success. Likewise, indications should be given of the kind of discipline involved, namely, whether it will be a case of conferring the diaconate *"on suitable ÿoung men ... for whom the law of celibacy must remain in force"* or *"on older men, including those living in the married state,"* or on candidates of both categories.

3. Once the approval of the Apostolic See has been obtained, it will be up to each Ordinary to approve and ordain candidates in his own territory, unless exceptions have been made in granting the faculty.

Tn making his report on the state of his diocese, the Ordinary should also recount the establishment of this discipline.

II

4. On the basis of Church law, with the approval of the Ecumenical Council, young men called to the diaconate are bound by the law of celibacy.

5. The permanent diaconate is not to be conferred before the age of 25: the episcopal conferences can require a greater age if they so choose.

6. Young men who are to be trained for the office of deacon should go to a special college where they can be tested, trained to live a truly evangelical life, and instructed on how to perform their duties usefullv.

7. The Bishops of a region — or where it would be useful, those of several regions in the same country — should join in establishing a college of this kind, depending on local circumstances. They should choose particularly well-fitted men to be in charge of it and should make clear rules regarding discipline and studies, in accordance with the norms that follow.

8. Only those young men should be enrolled to train for the diaconate who have shown a natural inclination for service to

the hierarchy and the Christian community, and who have received what is, by local standards, a good deal of doctrinal instruction.

9. The period of preparation for the diaconate should run at least three years. The course of studies should be arranged in such a way that the candidates make orderly and gradual progress toward gaining an understanding of the various duties of the diaconate and toward being able to carry them out effectively. The whole course of studies might well be so planned that in the last year special training will be given in the principal functions to be carried out by the deacon.

10. In addition, there should be familiarity and practice in teaching the fundamentals of the Christian religion to children and others of the faithful, in teaching people to sing sacred music and in leading them, in reading the books of Scripture at gatherings of the faithful, in giving talks and exhortations to the people, in administering those sacraments which deacons may administer, in visiting the sick and, in general, in carrying out the ministries which may be committed to them.

III

11. Men of more mature age, whether celibate or married, can be called to the diaconate; but married men should not be accepted unless there is clear evidence that their wives not only consent but also have the Christian moral character and attributes which will neither hinder their husbands' ministry nor be out of keeping with it.

12. "More mature age" means 35 years; but this is to be understood as meaning that no one can be called to the diaconate unless he has won the respect of the clergy and the faithful by having lived a truly Christian life for a long time, by his upright character, and by showing that his nature and disposition are inclined toward the ministry.

13. In the case of married men, care should be taken that only those are promoted to the diaconate who have lived as married men for a number of vears and have shown themselves to be good heads of their own homes, and whose wives and children lead a truly Christian life and have good reputations *(Cf.* 1 Tim 3, 10-12).

14. It is desirable for these deacons too, to acquire a good deal of doctrine, as was said in nn. 8, 9 and 10 above, or at least for them to have the knowledge which the episcopal conference may judge they will need to fulfill their functions properly. They should therefore be admitted to a special college for a certain length of time in order to learn all they will have to know to carry out worthily the office of deacon.

15. But if for some reason this cannot be done, then the candidate should be entrusted to some priest of excellent judgment who will take a special interest in him and teach him. and who will be able to testify to his maturity and prudence. Great care must always be taken that only those who have enough learning and are suitable are enrolled in the sacred Order.

16. Those who have received the Order of deacon, even those who are older, may not. in accordance with traditional Church discipline, enter into marriage.

17. Care should be taken that deacons do not carry on a profession or trade which the local Ordinary considers unsuitable or which will interfere with the fruitful exercise of their sacred office.

IV

18. Any deacon who is not a professed member of a religious community should be duly enrolled in some diocese.

19. Any rules now in force on the proper support of priests and on providing social security for them are to be applied also to permanent deacons, with due consideration being given to the families of married deacons and keeping in mind n. 21 of this document.

20. It will be up to the episcopal conference to make specific rules on the decent support of a deacon and of his family if he is married, in accordance with local circumstances.

21. Deacons who are practicing a secular profession should take care of their own needs and those of their family from this income insofar as possible.

V

22. In accordance with the conciliar Constitution mentioned above, it is the function of the deacon — to the extent that he has been authorized by the local ordinary — to do the following:

1) To carry out. with Bishop and priest, all the roles in liturgical riles which the ritual books attribute to him;

2) *To* administer baptism solemnly and to supply the cere-

monies that have been omitted at baptism in the case of an infant or adult:

3) To have custody of the Eucharist, to distribute it to himself and to others, and to impart Benediction of the Blessed Sacrament to the people with the pyx;

4) To assist at and bless marriages in the name of the Church when there is no priest present, with delegation from the Bishop or the pastor, so long as everything else commanded in the Code of Canon Law is observed (cf. canons 1095, § 2 and 1096), and with no infringement on canon 1098, in which case what is said of a priest is to be understood of a deacon as well;

5) To administer sacramentals and to preside at funeral and burial rites:

6) To read the Scriptures to the faithful and to teach and preach to the people;

7) To preside over the offices of religious worship and prayer services when there is no priest present;

8) To direct Bible services when there is no priest present;

9) To do charitable, administrative and welfare work in the name of the hierarchy;

10) To legitimately guide outlying communities of Christians in the name of the pastor and the Bishop:

11) To foster and aid the lay apostolate.

23, All these offices are to be carried out in complete communion with the Bishop and his *presbyterium,* which means under the authority of the Bishop and the priests who preside over the care of souls in that place.

VI

25. Deacons are serving the mysteries of Christ and the Church, and must abstain from any vice, strive to please God, and be *"ready jor any good work"* (cf. II Tim 2, 21) for the salvation of men. Therefore, because of their reception of this Order, they should far excel others in their liturgical lives, in devotion to prayer, in the divine ministry, in obedience, charity and chastity.

26. It will be up to the episcopal conference to establish more effective rules for fostering the spiritual lives of deacons, both celibates and those who are married. But the local Ordinaries should see to it that all deacons:

1) Apply themselves to reading carefully and meditating attentively on the word of God;

2) Actively assist at Mass frequently — even daily if possible: receive the Blessed Sacrament of the Eucharist and visit it out of devotion;

3) Purify their souls frequently through the sacrament of penance, having prepared for it worthily through a daily examination of conscience;

4) Show a deep love and veneration for the Virgin Mary, the Mother of God.

27. It is very fitting for permanent deacons to recite daily at least some part of the Divine Office, to be specified by the episcopal conference.

28. Diocesan deacons must make a retreat at least once every three years in some pious or religious house designated by the Ordinary.

29. Deacons should not slacken in their studies, particularly of sacred doctrine: they should read the Scriptures carefully: they should devote themselves to ecclesiastical studies in such a way that they can correctly explain Catholic doctrine to others and become day by day better fitted to train and strengthen the souls of the faithful. With this in mind, deacons should be called to regular meetings at which matters concerning their life and sacred ministry will be treated.

30. Deacons are obliged to profess reverence and obedience for the Bishop in a special way because of the ministry committed to them; but Bishops should have a high regard for these ministers of the People of God and show them paternal charity. If a deacon is going to remain outside his own diocese for a good reason for a length of time, he should willingly submit to the authority and supervision of the local Ordinary matters concerning the offices and duties of the diaconal state (Oriental Code. *De Personis,* can. 87).

31. As far as clothing is concerned, local custom is to be observed in accordance with the rules laid down by the episcopal conference.

VII

32. Institution of the permanent diaconate among religious is a right reserved to the Holy See, which alone is competent to

examine and approve the votes of general chapters in the matter.

33. Deacons who belong to religious communities are to exercise their ministry under the authority of the Bishop and of their own superiors, in accordance with the norms applicable to priests who are religious. They are also bound by the same laws as other members of their religious order.

34. When a deacon who is a religious is staying either permanently or for a while in an area that does not have a permanent diaconate, he is not to exercise his functions as a deacon without the consent of the local Ordinarv.

35. Whatever is said about religious in nn. 32-34 is to be understood as well about the members of other institutes professing the life of the evangelical counsels.

VIII

36. As for the rite to be used in conferring the sacred Order of diaconate and the Orders that come before it, the present discipline is to continue in force until revised by the Holy See.

Lastly, after laying down these rules, We find a wish springing up in Our heart that deacons, in carrying out their difficult office in the circumstances of this age of ours, may follow the shining examples which We propose to them of the protomartyr St. Stephen who was, as St. Irenaeus says, *"the first to be chosen by the Apostles jor the diaconate" (Adversus Haereses,* IV, 15, 1; *PG* 7, 1013), and of St. Lawrence of Rome, *"who was outstanding not only in administering the sacraments, but in managing the goods oj the Church as well"* (St. Leo the Great. Sermon 85; *PL,* 54, 436).

We command that everything decreed in this letter that We have issued on Our own initiative be regarded as established and ratified, anything to the contrary notwithstanding.

Given at Rome, at St. Peter's, on IS June, the feast of the deacon St. Ephraem of Syria, in the year 1967, the fourth of Our pontificate.

AAS 59-697; Paul VI, *Motu proprio,* 18 June, 1967. Annotation? in *Ami du Clcrge,* 77 (1967)—S05—509 (Zananiri).

Diaconate: As permanent grade in the hierarchy. Allocution oi Paul VI to groups gathered in Rome to recommend this institution, 24 Feb., 1967 (AAS 59-222).

Permanent Diaconate in Oriental Church. See c. 1; Cone. Vat. II., 21 Nov., 1964, n. 17.

CANON 974

Formation of Priests (Cone. Vat. II., Decree, 28 Oct., 1965) AAS 58-713.

"System for the Training of Priests." The Decree of the Second Vatican Council on the Formation of Priests was approved and promulgated on 28 October, 1965, with a suspension *(vacatio legis)* which was later extended indefinitely. The principal point of *law* is announced as follows:

"Since amid the great diversity of nations and regions, only general laws can be given, there should be for the various nations and rites a 'System for the Training of Priests' *(Sacerdotalis Institutionis Ratio)* established by the Episcopal Conferences, to be revised from time to time and approved by the Holy See, which would adapt the general laws to the special circumstances of places and times, so that priestly training may be always suited to the pastoral needs of the regions where they exercise their ministry" (n. 1).

AAS 58-713; Cone. Vat. II, Decree, 28 Oct., 1965.

Ordination: Age: dispensation reserved to Holy See. See c. 329, IX, 6 and footnote 12; AAS 58-469.

CANON 975

Âge Requirement: Faculty to dispense. See c. 66; Sec. St., 6 Nov, 1964, n. 6; c. 329; Paul VI, 30 Nov., 1963, n. 15.

CANON 984

Defective Thumb (S. C. Sacr., 4 Aug., 1965) Private.

Petition: So that he may be lawfully advanced to first Tonsure and to Orders, A. Z., of the Diocese of Greensburg, prostrate at the feet of Your Holiness, humbly requests a dispensation from the irregularity of bodily defect arising from the lack of the first section of the thumb of his left hand.

Reply: In virtue of faculties granted by His Holiness, Pope Paul VI, and after having attended to the recitals and to the recommendation of the Ordinary of Greensburg, the Sacred Congregation of the Sacraments on 4 August, 1965, gladly commits to the same Ordinary to grant the petitioner the favor of a dispensation from the stated irregularity. A cap made of gold or of gold-plated silver should be fitted to the mutilated thumb in as far as this is possible. To be observed are the instruction of this S. C., dated 27 December, 1930,[1] and the circular letter dated 27 December, 1955,[2] as well as the other requirements of law.

All things to the contrary notwithstanding.

(Private); S. C. Sacr., 4 Aug., 1965, Prot. No. 1506/65; copy kindly sent us by the Rt. Rev. Msgr. Norbert F. Gaughan, Chancellor of the Greensburg Diocese.

Faculty to Dispense From Irregularities *Ex Dejectu.* See c. 66; Sec. St., 6 Nov., 1964, n. 8; c. 329; Paul VI, 30 Nov., 1963, nn. 17, 31.

Irregularity: *"Ex dejectu":* when dispensation reserved to Holy See. See c. 329, IX, 9, *a;* AAS 58-469.

"Ex delicto": when dispensation reserved to Holy See. See c. 329, IX, 9, b, c, d, and 10; AAS 58-469.

CANON 985

Faculty to Dispense From Irregularities *Ex Delicto.* See c. 66; Sec. St., 6 Nov., 1964, n. 8; c. 329; Paul VI, 30 Nov., 1963, n. 17.

Irregularity: *"Ex delicto."* See c. 984, ref.

CANON 987

Sons of Non-Catholic Parents: Faculty to dispense. See c. 66; Sec. St., 6 Nov., 1964, n. 7; c. 329; Paul VI, 30 Nov., 1963, n. 16.

CANON 990

Faculty to Dispense From Irregularities. See c. 66; Sec. St., 6 Nov., 1964. n. 8; c. 329; Paul VI, 30 Nov., 1963, nn. 17, 31.

[1] Reported in Canon Law Digest, 1, pp. 463-473.

[2] Reported in Canon Law Digest, 4, pp. 303-315.

CANON 1002

Vernacular in Ordination Rite (S. C. Rit., 17 July, 1965) Private.

The *Constitution on the Sacred Liturgy,* n. 76, and the *Instruction*[1] on that Constitution, n. 61, provided that certain parts of the ordination rite might be said in the vernacular. At the request of various Bishops, the Sacred Congregation of Rites specified those parts as follows:

Tonsure

Appellatio.
P. Adiutorium nostrum, etc.
"Oremus, fratres carissimi."
"Filii carissimi, animadvertere debetis."

Ordination of Porter

Appellatio.
"Suscepturi, filii carissimi."
"Deum Patrem omnipotentem."
Oremus. Flectamus genua. Levate.

Ordination of Reader

Appellatio.
"Electi filii carissimi."
"Oremus, fratres carissimi."
Oremus. Flectamus genua. Levate.

Ordination of Exorcist

Appellatio.
"Ordinandi, filii carissimi."
"Deum Patrem omnipotentem."
Oremus. Flectamus genua. Levate.

Ordination oj Acolyte

Appellatio.
"Suscepturi, filii carissimi."
"Deum Patrem omnipotentem."
Oremus. Flectamus genua. Levate.

[1] Both documents reported above on pp 32 and 73 respectively.

Ordination û/ Subdeacon

Appellatio.
‘‘Accedant qui ordinandi sunt diaconi et presbyteri.”
“Filii dilectissimi, ad sacrum.”
“Recedant in partem, qui ordinandi sunt diaconi et presbyteri.”
“Adepturi, filii carissimi.”

In the admonition “Adepturi” the last words ought to be thus modified: “in vera et catholica fide fundati. Quod ipse vobis praestare dignetur, qui vivit et regnat, Deus, in saecula saeculorum.
R. Arnen.”
“Oremus Deum.”
Oremus. Flectamus genua. Levate.

Ordination oj Deacon

Appellatio.
“Reverendissime Pater . . . Deo gratias.”
“Auxiliante Domino.”
“Provehendi, filii dilectissimi.”
“Commune votum.”
‘Oremus, fratres carissimi . . . vivit et regnat Deus.”
Oremus. Flectamus genua. Levate.

Ordination oj Priest

Appellatio.
“Reverendissime Pater . .. Deo gratias.”
“Quoniam, fratres carissimi.”
“Consecrandi, filii dilectissimi.”
“Oremus, fratres carissimi.”
Oremus. Flectamus genua. Levate.
“Quia res.”
“Benedictio Dei omnipotentis.”
“Filii dilectissimi.”

Consecration oj Bishop

“Reverendissime Pater . . . Deo gratias.”
Examen electi.
“Episcopum oportet.”
‘Oremus, fratres carissimi.”

(Private); S. C. Rit., 17 July, 1965; reported in *Ephemerides Lilurgïcae,* 79 (1965)–417—4·19.

CANON 1005

Ordination Mass: Concélébration (S. C. Rit., 26 Nov., 1965) Private.

The Bishop of Zamora in Mexico proposed the following questions to the S. C. of Rites:

1. Whether the new priests, in the concélébration of the Mass in which priestly ordination is conferred, say only what all the concélébrants are to say.

2. Whether in such a Mass a deacon may be used besides the concelebrating priests; and if so, what is the deacon to do?

3. Since there are other concelebrating priests in this Mass, it is asked: whether the new priests should occupy the first places beside the Bishop.

Reply: The Sacred Congregation of Rites, after hearing the opinion of the Liturgical Commission and carefully considering the matter, decided to reply:

I. In the affirmative; cf. nn. 109 and 115 of the "*Ritus servandus in concelcbrationc Missaef*

II. In the affirmative to the first part; for the second part: he performs the function of a deacon; cf. n. 109 of the "*Ritus*" mentioned above.

III. It is appropriate that they do so. *(Convenire).*

(Private); S. C. Rit., 26 Nov., 1965. *Notitiae,* 2 (1966)-184.

CANON 1006

Faculty to Confer Orders Outside Canonical Times. See c. 329; Paul VI, 30 Nov., 1963, n. IS.

CANON 1009

Faculty to Confer Orders Outside Cathedral. See c. 329; Paul VI, 30 Nov., 1963, n. 18.

CANON 1013

Bonum Fidei Cases: study of recent (1949-1963) Rotal jurisprudence in *The Jurist,* 25 (1965)-407-42S (Tobin).

Contraception. See c. 218, "Population Growth."

Ends of Marriage: The Pastoral Constitution on the Church in the Modern World omits explicit mention of the "primary" and "secondary" ends of marriage as such. Hence this aspect of the subject is open to further elucidation.

CANON 1033

Contraception. See c. 218, ref. "Population Growth."

CANON 1039

Ordinary to Use His Right Regarding Competence of Party to Marry (Holy Office, 14 Feb., 1962) Private.

Case: A certain man, K., began to make arrangements with his pastor to enter marriage with a Catholic girl. In the preliminary investigation it was discovered that K. had been afflicted with the mental illness of schizophrenia. He was so afflicted that he was committed to the hospital where he received electroshock treatments and pharmacotherapy. He was released but had to be readmitted twice over a period of three years. K. has remained free of overt manifestations of his illness for eight years.

His father also has been a victim of schizophrenia over twelve years ago from which he has never completely recovered.

When his history became known, the matter was referred to our Tribunal by the priest for assistance. Recommendation was made that a psychiatrist examine K. as to his present state of health. The first psychiatrist he saw was not a Catholic. This doctor stated in his report that K., although he displays a nervous laugh, has no evidence of disorder in judgment. However. the psychiatrist did not go so far as to state definitely that K. is cured of his disorder. The most he will state is that K. is not ill and has a reasonable chance of a satisfactory life if married.

The Tribunal was not satisfied with the statements of this doctor, mainly because many psychiatrists in the United States who have no understanding of the sacrament of marriage and its permanent obligations are willing to advise patients to enter marriage for its therapeutic value, and then if it is not a sue-

cess, a divorce can be obtained. In view of this the Tribunal availed itself of the advice of a competent Catholic psychiatrist who had an understanding both of the nature of marriage and the science of psychiatry.

Discussion with this psychiatrist revealed that in his opinion K. is still suffering from the disease of schizophrenia, despite the fact that he is free of the more overt symptoms of the disease and has some ability to make a living outside the hospital.

The Tribunal is hesitant about declaring this man competent, first because he has been committed three times to a mental hospital and because there is evidence from a reliable psychiatrist that the disease is still existing.

It is also hesitant because the jurisprudence of the Rota indicates that the true schizophrenic is very apt to become sick again and if he has contracted marriage in the interval between his lapses, then the presumption is that this person was still mentally ill and has not contracted a valid union.

It is also the experience of the Tribunal that usually a psychiatrist will not definitely state that a victim of schizophrenia is cured and so we become faced with the problem of whether any schizophrenic who has been definitely diagnosed as such by a competent authority can ever enter a matrimonial contract.

I am writing Your Excellency to ask: is K. capable of entering a valid marriage?

Reply: After careful study of the question proposed by Your Excellency regarding the capacity for marriage of a man previously suffering from schizophrenia. Their Eminences, the Cardinals of this Supreme S. Congregation, in their plenary session of Wednesday, 7 February, 1962, decreed as follows:

"The Ordinary, after having consulted approved authors, theologians and psychiatrists, should use his right and decide what must be done in the case."

(Private); Holy Office, 14 Feb., 1962, Prot. N. 395/61m; both documents kindly sent us by the Rt. Rev. Msgr. Timothy P. O'Connell, *Officialis* of the Diocese of Worcester.

CANON 1042

Dispensation From Minor Impediments. See c. 329; Paul VI, 30 Nov., 1963, n. 19

CANON 1060

Faculty to Dispense. See c. 329; Paul VI, 30 Nov., 1963, n. 20.
Marriage: Mixed: danger to the Faith. See c. 1061; AAS 58-235, I, 1.

CANON 1061

Mixed Marriages: New Regulations (S. C. Doct. Fid., 18 March, 1966) AAS 58-235.

Instruction of the Sacred Doctrinal Congregation, *Matrimonii Sacramentum:*

The sacrament of matrimony, established by Christ the Lord as a sign of His union with the Church, if it is to exercise its sacred power to the full and become for the married parties truly a great mystery (cf. Eph. 5:32) in which they symbolize by their intimate communion of life the love with which Christ delivered Himself for men, demands in the first place a full and perfect concord between the spouses, especially in regard to religion. "For the union of spirits tends to be broken or at least weakened when there is a divergence of views and a conflict of wills concerning the ultimate and supreme values which mankind cherishes, that is, the truths and sentimentsof religion."[1] Consequently, the Catholic Church considers it a solemn duty to safeguard and protect the faith in the parties themselves and in their children. It is for this reason that she uses the greatest care to see that Catholics contract marriage with Catholics.

An outstanding proof of this careful vigilance is the discipline of the Church regarding mixed marriages, sanctioned by the prescriptions of the Code of Canon Law in the two impediments, mixed religion and disparity of cult, the first of which forbids the marriage of Catholics with baptized non-Catholics. without prejudice to the validity of such marriages,[2] while the latter renders the marriage of a Catholic with an unbaptized person invalid.[3]

This solicitude on the part of the Church to protect the sanctity of Christian marriage is evidenced also by the requirement of

[1] Pius XI, Encyclical *Casti Connubii.*
[2] Canons 1060-1064.
[3] Canons 1070-1071,

the juridical form for expressing consent. Although in past times there have been various regulations in this matter, yet it was always the rule that clandestine marriages should not be permitted.

Following this same line, all pastors should instruct the faithful on the religious aspect and value of this Sacrament: seriously warn them of the difficulties and dangers of marriage with a baptized non-Catholic, and still more with a non-Christian: and try by all appropriate means to have Catholics contract marriage only with Catholics.

Yet it must be admitted that the peculiar conditions of our day, which have in a short time produced such great changes in social and family life, have made it more difficult than it formerly was to observe the canonical legislation on mixed marriages.

Under these circumstances it has now come about that Catholics have more frequent contacts, social intercourse, and familiarity with non-Catholics, and so more easily form ties of friendship with them; and this, of course, as experience has shown, gives occasion for a greater number of mixed marriages.

Hence the pastoral solicitude of the Church demands with even greater urgency that also in mixed marriages the sanctity of marriage according to Catholic doctrine, and the faith of the Catholic party be absolutely safeguarded and that the Catholic education of the children be attended to with the greatest possible care and effectiveness.

This pastoral care is the more necessary because, as is well known, there are among non-Catholics opinions different from Catholic doctrine on the essence of marriage and its properties, especially its indissolubility, and consequently on divorce and the contracting of new marriages after (civil) divorce.

Accordingly, the Church feels that it is her duty to protect the faithful lest they fall into danger regarding the faith, or suffer spiritual or material harm.

Therefore, persons about to marry must be carefully instructed on the nature, properties, and obligations of marriage and on the dangers to be avoided.

Moreover, in this connection it is important to remember the very attitude which Catholics must now cultivate toward their brethren who arc separated from the Catholic Church, as was

solemnly proclaimed by the Second Ecumenical Council of the Vatican in the Decree on Ecumenism. This seems to make it advisable that the rigor of the present law on mixed marriages be mitigated, not, of course, in anything touching the divine law, but in certain regulations that have come through ecclesiastical law and which our separated brethren often consider offensive.

Obviously, this very important question was by no means ignored by the Second Ecumenical Vatican Council, which was called by the Supreme Pontiff John XXITI of happy memory for the purpose of meeting the needs of the Christian people in this our day. Actually, the Council Fathers made various proposals in this matter, which rightfully received careful consideration.

Accordingly, after conferring with the sacred Pastors concerned in the matter, after having maturely weighed all aspects of the question, leaving in full force and effect the two impediments of mixed religion and disparity of cult — but giving to local Ordinaries the faculty to dispense from them according to the Apostolic Letter *Pastorale munus,* nn. 19 and 20/ for grave reasons, and observing the requirements of law—and without prejudice to the rights of the Oriental Churches, the following norms are established by authority of Pope Paul VI, which, if confirmed by experience, will be included in a certain and definite manner in the Code of Canon Law now being revised.

I 1) It must ever be kept in mind that the danger to the faith of the Catholic party has to be repelled and the education of the children in the Catholic religion earnestly attended to.[4]

2) The local Ordinary or the pastor of the Catholic party shall seriously inculcate the obligation of seeing to the baptism and education of future children in the Catholic religion: the fulfilment of this obligation shall be secured by an express promise on the part of the said Catholic party, that is, by the so-called *cautiones.*

3) The non-Catholic party must be informed, with due courtesy but clearly, of the Catholic doctrine on the dignity of marriage and especially on its principal properties, which are unity and indissolubility.

4 Reported above, p. 370.

5 Cf. canon 1060.

This same party must be informed of the grave obligation of the Catholic party to safeguard, practice, and profess his own faith, and to have any children that may afterward be born baptized and educated in that same faith.

Since this obligation has to be made secure, the non-Catholic party should be invited to promise sincerely and openly not to prevent it in any way. If the non-Catholic party feels unable to make this promise without violating his own conscience, the Ordinary must refer the case with all its circumstances to the Holy See.

4) Although these promises should ordinarily be given in writing, it is for the Ordinary to decide, either by general decree or in particular cases, whether this promise of the Catholic party, of the non-Catholic party, or of both, is to be made in writing or not, and also to determine how it is to be entered in the marriage records.

II. If, as sometimes happens in certain countries, the Catholic education of the children is prevented, not by the free choice of the parties but rather by the laws of the country and the attitude of the people, to which the parties are forced to yield, the local Ordinary, after carefully considering all the aspects of the case, can dispense from the impediment, provided the Catholic party is prepared, to the best of his knowledge and power, to make every effort to have all future children baptized and educated as Catholics, and provided the good faith of the Catholic party is beyond doubt.

In making these concessions, the Church is influenced also by the hope that civil laws which are contrary to human freedom, such as those which forbid the Catholic education of children or the practice of the Catholic religion, will be abolished and that the natural law regarding these matters will be recognized.

III. In the celebration of mixed marriages the canonical form prescribed in canon 1094 must be observed, and that for validity.

If difficulties arise, the Ordinary shall refer the case with its circumstances to the Holy See.

IV. As for the liturgical form, by way of derogation from canons 1102, § 2 and 1109, § 3, local Ordinaries are given power to permit the celebration also of mixed marriages, using the sacred rites with the usual blessings and discourse.

V. The celebration of marriage before a Catholic priest and

a non-Catholic minister who perform together, each in his own rite, is absolutely to be avoided.

However, after the religious ceremony is finished, there is nothing to prevent the non-Catholic minister from saying something by way of congratulation and exhortation; and some prayers may be recited with the non-Catholics. All this may be done with the approval of the local Ordinary' and with appropriate precautions to avoid arousing astonishment.

VI. Local Ordinaries and pastors must be earnestly watchful that families originating in mixed marriages live properly according to the promises that were made, especially as regards the training of the children in Catholic doctrine and morals.

VII. The excommunication which is incurred according to canon 2319, § 1, n. 1, by those who contract marriage before a non-Catholic minister, is abrogated. The effects of this abrogation are valid also retroactively.

These regulations are made in the spirit and with the intention which has been stated above: in order to provide better for the needs of the faithful of our time and to imbue with a more ardent sense of charitv the relations between Catholics and non-Catholics.

Let this, therefore, be the wholehearted and constant effort of those — pastors especially — whose function it is to teach Catholic doctrine to the faithful.

They should strive to do this with the greatest possible charity toward the faithful, and always with due reverence for others, that is, for non-Catholics and those who in good faith share their points of view.

Catholic husbands and wives should take care to strengthen and develop the gift of faith in themselves and, by always practicing the Christian virtues in their family life, to give a shining example also to a non-Catholic partner and to their children.

Given at Rome, from the office of the Sacred Congregation for the Doctrine of the Faith, 18 March, 1966.

AAS 58-235; S. C. Doct. Fid., IS March, 1966.

Note. The official report of this document in the AAS displays prominently the following notice in italics following the text:

TA« *Instruction, already published on IS March of this year, is now promulgated by insertion in these Acta, and will go into effect on the 19th of May, 1966, the feast of the Ascension of our Lord Jesus Christ.*

Annotations: *Australasian Cath. Record,* 43 (1966)–153–161 (Madden); *Civil! à Caltolica, anno* 117, 3 (1966)-345-362 (ôrsy); *Clergy Monthly,* 30 (1966)–229–232 (Timmermans); *Homiletic and Pastoral Review,* 67 (1Q66-1O67)-129-134 (Banks); 68 (1067-1968)-575-579 (Berber; *Monitor Ecclesiasticus,* θϊ (1%6)-29-238 (Silvestrclli); *Nuntius,* 1 (19671-29-38 (Bertrams); *Periodica,* SS (1966)–755–769 (Navarrete); S6 (1°67)–18S-504 (Straub-Navarretc); *Sal Terrae,* 54 (1066)-266-274 (Rccatillo).

Mixed Marriages and *Cautiones* (S. C. Doct. Fid.. 17 May, 1966; IS June, 1966; 9 July, 1966; 10 Dec., 1966; 12 Dec., 1966; 27 Feb., 1967) Private.

Following is a series of cases in which the non-Catholic refuses to sign the *cautiones* and which may help to know the attitude of the Sacred Congregation for the Doctrine of the Faith in this regard.

I

Case: I respectfully present the case of John, a Catholic, and Nancy, a Lutheran. They have petitioned for a dispensation from the impediment of mixed religion.

The non-Catholic party refused to give the required guarantee regarding the baptism and education of children in the Catholic faith from motives of conscience. However, she did state in writing that any children born of the proposed union would be introduced to Catholicism at the age of reason through Catholic Christian Doctrine courses and if they wanted to embrace Catholicism, she would not object but would rather encourage them. There is no guarantee that she will not have her children baptized in the Lutheran Church. Nancy appears to be sincere, honest, and conscientious.

The Catholic party did not make the customary promises. He has indicated that he would try to influence future children indirectly but would not promise to have the children baptized if it was against the wish of his future spouse. John would appear to be weaker than Nancy in the matter of religious conviction.

In accord with the prescriptions of *Matrimonii sacramentum,*[1] I am submitting this case for your consideration. All documents are enclosed.

Reply: This S. Congregation has received from your Chancery

[1] Reported above, p. 592.

a letter regarding the planned marriage of John, Catholic, with Nancy, Lutheran, who is, however, opposed to the Catholic baptism and education of future offspring.

The Catholic man has not made the promises, but has merely indicated an intention to try to influence future children.

As the case is presented, the reply of this S. Congregation must be negative, unless the man in question sincerely promises to do everything possible to secure the Catholic baptism and education of future children.

(Private); S. C. Doct. Fid., 17 May, 1966, Prot. No. 1393/66m.

II

Case: In accordance with the decree, *Matrimonii sacramentum,* I am respectfully submitting the following case for transmission to the Holy See.

Mary, a Catholic, and John, a Presbyterian, desire to validate their marriage attempted before a Protestant minister on 11 June, 1965. A dispensation from the impediment of mixed religion and disparity of cult *ad cautelam* is required because the validity of John's baptism is doubtful.

Mary, a frequent communicant until the time of her attempted marriage, is troubled in conscience and wishes to return to the sacraments. John, a staunch Protestant, is willing to have the marriage validated for the sake of his wife. However, he feels he cannot make the required promise regarding baptism and education of future children. He will agree as a compromise, to have all the girls born of the marriage baptized and raised Catholic but the boys must be baptized and educated as Protestants. Mary cannot make the customary promises because she knows John will prevail in this attitude.

Both parties are intelligent, educated, and apparently sincere. Reasonable explanation of the Catholic position has not changed John's position. Mary has attended Mass faithfully since her attempted marriage. One child, a girl, has been born. The child is baptized and will be brought up in the Catholic faith.

Reply: The Ordinary humbly requests of Your Holiness a radical sanation of the marriage invalidly contracted by Mary, Catholic, with John. non-Catholic. The following circumstances are alleged: the woman wishes to provide for her conscience; the man refuses to make the *cautiones* according to law.

On the 18th of June, 1966, His Holiness, Pope Paul VI, through special faculties granted to this S. Congregation, after attending to the particular circumstances existing in the case and the evident signs of repentance on the part of the Catholic, graciously remands the petition to the prudent judgment and conscience of the Reverend Ordinary who, provided that the consent of each party still perdures, can grant a radical sanation of the marriage invalidly contracted by Mary, Catholic, with John, non-Catholic.

However, the Reverend Ordinary should himself seriously admonish the Catholic party about the very grave sin she has committed and should impose a salutary penance on her. At the same time, he should declare that in view of the present grant of dispensation and its acceptance, the marriage is rendered valid, lawful, and indissoluble by divine law and that children who may have already been born or who will be born are legitimate in the sense of can. 1051 of the Code of Canon Law.

Further, he should, in serious terms, call to the Catholic party's attention the obligation whereby she is obliged to provide in every way for the baptism and education in the holiness of the Catholic religion for all children of both sexes, those who may have been already born as well as for those who may be born in the future: he should also recall the obligation she has to strive prudently for the conversion of her spouse to the Catholic faith.

On the other hand, since there must be proof in the external forum as regards the validity of the marriage and the legitimation of the children, the Reverend Ordinary should command that the present rescript of sanation together with the attestation that it has been executed be carefully kept in the local Curia. Moreover, unless in his prudence he judges otherwise, he should also take care that notice of the sanation of the marriage in question together with a notation of the day and year be written into the book of baptisms of the parish in which the Catholic party received baptism.

Finally, in discharging the task committed to him, the Reverend Ordinary should make express mention of the Apostolic delegation granted him (can. 1057 of the Code of Canon Law).

All things to the contrary notwithstanding.

N.B. An explicit promise shall be sought from the Catholic party regarding the fulfillment of the above-mentioned obligation to

provide, as far as possible, for the Catholic baptism and education of all the children even for those who may have been born previously.

(Private); S. C. Doct. Fid., 18 June, 1966, Prot. No. 1842/66 m.

111

Case: I respectfully present the case of William, a Catholic, and Elizabeth, a Lutheran (Swedish Covenant). They have petitioned for a dispensation from the impediment of mixed religion.

The non-Catholic party refuses to give the required guarantee regarding the baptism and education in the Catholic faith from motives of conscience. She is sincere and very faithful in the practice of her religion. At present she teaches Sunday school in the Lutheran Church. Her belief that no one Christian Church can claim to be the Church of Christ prevents her from making the required promise in all honesty. Elizabeth has consulted a number of Catholic priests during the past eight years in order to learn about our position regarding the faith of offspring in a mixed marriage. She has attended Mass occasionally with William. She would have the children of the proposed marriage attend the Catholic Church as well as her own. She will do the same.

William is a sincere and faithful Catholic. There does not seem to be any grave danger that he will cease to practice his own faith. He has signed the promise to baptize and educate his children solely in the Roman Catholic faith. He has stated that he will do his best to fulfill this promise with the qualification, however, that he "would not risk his marriage on the question." Should the non-Catholic party adamantly refuse to allow him to fulfill his obligation, he would probably permit the children to be raised as Lutherans rather than let the family situation dissolve.

William and Elizabeth are a mature and educated couple in their late twenties. They have desired to marry for eight years but have not done so because of the problems of conscience presented in this letter. Having read the decree, *Matrimonii sacramentum,* they recently approached a parish priest in this archdiocese hoping they would now be permitted to marry without violating their consciences.

In accord with the prescriptions of *Matrimonii sacramentum,*

I am submitting this case for transmission to the Holy See. A copy of the dispensation petition is enclosed.

Reply: This S. Congregation has recently received from your chancery a request from the impediment of mixed religion for the marriage of William, Catholic, and Elizabeth, Lutheran, who is unwilling to give the canonical promises regarding the Catholic baptism and instruction of future children.

In view of the circumstances explained in the letter, the dispensation from mixed religion is herewith granted, provided it is understood that the Catholic man will do everything in his power to see to it that future offspring of their union will be baptized and raised as Catholics.

(Private); S. C. Doct. Fid., 9 July, 1966, Prot. No. 2057/66m.

IV

Case: Marian, a Catholic, and Dean, a doubtfully baptized Methodist, have sought a dispensation from the impediment of mixed religion and disparity of cult *ad cautelam* in order to marry in the Catholic Church. The non-Catholic party could not in conscience make the required promise concerning the non-interference with the Catholic party's obligation to baptize and educate children in the Catholic faith.

Although the course of action Dean will take when children are born is not certain, it is morally certain that he would not interfere with his wife's personal practice of the faith.

Marian has signed the customary promise. She comes from a strong Catholic family and appears to be sincere in promising that she will do everything possible for the faith of the children.

Reply: In your letter of 16 November of this year, Your Reverence requested a dispensation from the impediment of mixed religion and, *ad cautelam,* from disparity of cult for the marriage to be contracted between Marian, a Catholic, and Dean, a non-Catholic, who refuses to make the canonical promises regarding the Catholic baptism and education of the children.

In this matter, I inform you that this S. Congregation commits to your prudence the concession of the dispensation provided that the Catholic party formally promises that she will fulfill her obligation to provide in every way for the baptism and education of future children in the Catholic religion. Your

Reverence should have moral certainty that the promise will be fulfilled.

Furthermore, the non-Catholic party should be informed of the obligations whereby the Catholic party is bound in conscience.

The pastor, for his part, should be vigilant that the Catholic party fulfills those same obligations.

(Private); S. C. Doct. Fid., 10 Dec., 1965, Prot. No. 4175/66 m.

V

Case: I respectfully present the case of Mary, a Catholic, and Charles, a Greek Orthodox. They have petitioned for a dispensation from the impediment of mixed religion in order to validate their attempted marriage which took place in the Greek Orthodox Church in 1964.

Mary is 34 years old. The couple has one child three months old who has not been baptized. Mary has promised to do all she can to bring up this child and any future children in the Catholic Church and to strive for the conversion of her husband. She attends Mass regularly at the present time and seems most sincere.

After consulting with his Orthodox priest, Charles has agreed to validate his marriage in the canonical form but only if all children of this marriage are baptized and educated in the Greek Orthodox faith. He cannot in conscience make the required promise concerning non-interference with his spouse's obligation to baptize and educate the children in the Catholic religion.

In accord with the prescriptions of *Matrimonii sacramentum,* this case is presented for transmission to the Holy See.

Reply: In your letter of 16 November of this year, the Reverend Chancellor of your archdiocese has requested a radical sanation for the marriage already attempted by Mary, Catholic, and Charles, non-Catholic, who refuses to make the canonical promises regarding the Catholic baptism and education of the children.

In this matter, I inform you that this Sacred Congregation commits to your prudence and conscience to grant the radical sanation provided that the Catholic party formally promises that she will fulfill her obligation to provide in every way for the Catholic baptism and education at least for children who may

be born in the future. Your Reverence should have moral certainty that the promise will be fulfilled.

Furthermore, the non-Catholic party should be informed of the obligations whereby the Catholic party is bound in conscience.

The pastor, for his part, should be vigilant that the Catholic party fulfills those same obligations.

(Private); S. C. Doct. Fid., 12 Dec. 1966 Prot. No. 4176/66 m. All replies translated from copies of the originals kindly sent to the Canon Law Digest.

VI

The names used in this case are fictitious.

Case: In accord with the prescriptions of *Matrimonii Sacramentum,* I respectfully submit the enclosed petition of Brian, a Catholic, and Anne, a Protestant, for a dispensation from the impediment of mixed religion and disparity of cult *ad cautelam* with the request that it be forwarded to the Holy See. The non-Catholic cannot make the required promise without violating her conscience. The Catholic did not make the promise for reasons given below.

Anne, the non-Catholic, was baptized in the Congregational Church but is not affiliated with any particular denomination at present. She professes to be a Christian and takes religion seriously. She believes that her children should be instructed from the Bible with emphasis on the life of Christ in the gospels and that they should be allowed to make their own choice of religion when mature enough to do so. She is judged to be honest and sincere in her convictions.

Brian was baptized a Catholic, received his First Communion, and was confirmed. He considers himself a Catholic. He is a graduate student at the University of N., studying to be a social worker. Brian is confused and has a problem in matters of faith concerning the Church. He states that he is uncertain about the Church and wishes to marry in the Church to be assured of a valid marriage. When asked about the baptism of his children, he said, with some hesitation, that he did not feel baptism was as important as he was brought up to believe. He will educate his children as Christians because he wants religious thought to be a basic force in their lives. He seems to interpret Catholicism as a religion of fear and command and wants a life of love and understanding for his children. He does not attend Mass

because he feels it is not meaningful for him, admitting, however. he may be at fault for this loss of meaning. Brian is judged to be an honest and good person despite his attitude.

A series of six instructions was given to both parties. However, the confusion of the Catholic party was not dissipated nor were the convictions of the Protestant party influenced. Throughout the conferences both have shown respect for the Church. Brian intends to investigate the teachings of the Catholic Church further and the teachings of others Churches as well.

Question: The S. C. interposed the following query before reaching a decision: "Is the Catholic party disposed to provide, in as far as he is able, for the baptism and Catholic education of his offspring?"

Reply: Insofar as it can be determined, the Catholic party is honestly following the dictates of his conscience which, at the present time, does not urge him to accept all the teachings and laws of the Catholic Church, even concerning baptism.

It is our judgment, therefore, that he is not disposed to do everything in his power to baptize and educate future children in the Catholic faith.

Decision: In your letter of 5 December, 1966, the Reverend Chancellor of the Curia of X. proposed the case of the marriage to be contracted by Brian, a Catholic, and Anne, a non-Catholic, who do not intend to make the promises regarding the baptism and Catholic education of their offspring.

In this regard I inform you that the requested dispensation cannot be granted in the instance unless the Catholic party seriously promises that he will provide, in as far as he shall be able, for all the children to be baptized and educated as Catholics.

(Private); S. C. Doct. Fid., 27 Feb., 1967, Prot. N. 4529/66m; translated from copies of the original documents.

Promissio Omnino Cavendi: Meaning of (S. C. Doct. Fid., 6 Dec., 1966) Private.

In your letter of 23 November of this year, Your Excellency inquired as to the meaning of the words *"promissio omnino cavendi"* which were used in the rescript from this S. Congregation relative to the grant of radical sanation of the marriage of C-M.

In this regard I inform you that this S. Dicastery has decided

that this phrase means the same thing as your English terminology: "to do all that he is able to do."

(Private); S. C. Doct. Fid., 6 Dec., 1966, Prot. N. 3329/66m ; kindly sent us by the Rt. Rev. Msgr. Henry P. Cosgrove, *Officialis* of the New Orleans Archdiocese.

Marriage of Catholics with Baptized Non-Catholic Orientals (S. C. Eccl. Or., 22 Feb., 1967) AAS 59-165.

A decree of the S. C. for the Oriental Church. *Crescens 'matrimoniorum,* entitled: "On Mixed Marriages between Catholics and Baptized Non-Catholic Orientals."

The growing frequency of mixed marriages between Oriental Catholics and Oriental Christians who are not Catholics, in the Oriental Patriarchates and Eparchies, and also in the Latin dioceses, and the necessity of meeting the difficulties arising therefrom, were the reason why the Second Council of the Vatican decreed: "When Catholic Orientals contract marriage with Oriental non-Catholics, the canonical form of marriage for those marriages is of obligation only for licitness. For their validity, the presence of a sacred minister is sufficient, as long as the other requirements of law are observed" (Decree *Orientalium Ecclesiarum,* on Oriental Catholic Churches,[1] n. IS).

But since today mixed marriages are contracted also by Catholics of the Latin rite with Christian non-Catholic Orientals, and the diversity of canonical discipline is causing many grave difficulties in both the East and the West, petitions from various sources have come to the Supreme Pontiff asking him to establish one single discipline in this matter, thus permitting also for Catholics of the Latin rite what was already established for Catholics of the Oriental rite.

Our Holy Father Paul VI by divine Providence Pope, after mature reflection and careful investigation, decided to grant these requests and graciously permits that everywhere on earth, in order to prevent invalid marriages between faithful of the Latin rite and faithful Christian non-Catholics of the Oriental rite, in order to provide for the firmness and holiness of marriage, and to encourage charity more and more between faithful Catholics and faithful Oriental non-Catholics, whenever Catho-

[1] Reported above, pp. 7-19.

lies, either Oriental or Latin, contract marriages with faithful non-Catholic Orientals, the canonical form of celebration for these marriages is of obligation only for licitness: for validity, the presence of a sacred minister is sufficient; observing the other requirements of law.

These marriages must be carefully registered in the prescribed books as soon as possible under the vigilance of the pastors: and this applies also when Oriental Catholics contract marriage with baptized non-Catholic Orientals, according to the conciliar decree *Orientalium Ecclesiarum,* on Oriental Catholic Churches, n. 18.

For the sake of the sanctity of marriage, non-Catholic ministers too are reverently and earnestly requested to lend their mutual cooperation to see that marriages are recorded in the registers of the Catholic party of the Latin or Oriental rite.

The local Ordinaries who grant dispensations from the impediment of mixed religion are likewise empowered to dispense from the obligation of observing the canonical form *ad Uccitatem* if there are difficulties which in their prudent judgment require it.

The Supreme Pontiff ordered the S. C. for the Oriental Church, of which he is himself the head, to make known to every one this supreme deliberation and concession: wherefore this Sacred Congregation, after consulting also the S. C. for the Doctrine of the Faith, has prepared this decree, by order of His Holiness, for publication in the *Acta Apostolicae Scdis.*

In order that this new provision may in the meantime come to the notice of all interested parties of every Catholic or Orthodox rite, this decree will go into effect on 25 March, 1967. feast of the Annunciation of the Blessed Virgin Mary.

All things to the contrary notwithstanding.

Given at Rome, from the office of the S. C. for the Oriental Church, on the 22nd day of February, feast of the Chair of St. Peter the Apostle, in the year 1967.

z\AS 59-165; S. C. Eecl. Or, 22 Feb., 1967. Annotations in *Furrow,* 19 (1968)-94-97 (Hurley); *Periodica,* 56 (1967)-505-517 (Pujol).

Marriage: Mixed: dispensation from all impediments is reserved to Holy See when required conditions cannot be observed. See c. 329, IX, 16; AAS 58-469.

Mixed dispensation from canonical form. See c. 1094; S. C. Doct. Fid., 5 Nov., 1966.

CANON 1063

Permission Granted for Double Marriage Ceremony: Catholic and Orthodox (S. C. Eccl. Or., 26 Oct., 1964: Holy Office, 9 Feb., 1965) Private.

Under date of 22 August of this year, Mrs. G. of your diocese sent a request to this Sacred Dicastery through His Holiness' Secretariate of State, in which she petitioned that the projected marriage of her daughter, Jeanne, with a Greek Orthodox man might be celebrated also before the Orthodox minister.

I rightly hasten to inform Your Excellency that the Supreme Sacred Congregation of the Holy Office, under date of 22 of this month, Prot. No. 2799m/64, has granted the requested permission "provided that the marriage first be celebrated before a Catholic priest, the promises prescribed by the Code be secured from the man, and danger of scandal removed."

(Private); S. C. Eccl. Or., 26 Oct., 1964, Prot. No. 4/58; copy of original kindly sent us by His Excellency, James L. Connolly, Bishop of the Diocese of Fall River, through the Rev. John H. Hackett, Vice-Chancellor.

A second case of like nature was submitted by the Bishop of Fall River on 26 Dec., 1964, citing the above reply and making the observation regarding the Greek Orthodox man: "he desires to observe the rules of his Church and, if I mistake not, he is unwilling to give offense to his parents and absolutely refuses to enter marriage without the blessing of an Orthodox priest." This case was sent to the Holy Office through the Vatican Secretariate of State.

Reply. In this matter I inform you that this Supreme Congregation, after consideration of the circumstances set forth, has granted the requested faculty provided that the marriage first be celebrated in the Catholic form and that danger of scandal be removed by avoiding external pomp of every kind.

(Private); Holy Office, 9 Feb., 1965, Prot. No. 321/65; copy of original kindly sent us by the Bishop of Fall River through the Rev. John H. Hackett, Vice-Chancellor.

Note: The concluding words, "by avoiding external pomp of every'

kind," which were not part of the first reply above, have also been attached to several other replies which have come to our attention in this kind of case. See also n. 3 of *Norms* given below.

Norins Regarding Mixed Marriage Ceremony (Holy Office, 13 July, 1965; U. S. Apost. Del., 31 July. 1965) Private.

The following document was sent to all local Ordinaries of the United States by the Apostolic Delegate.

The Supreme Sacred Congregation of the Holy Office has taken cognizance of the increasingly common problem that arises because of a marriage contemplated by a Catholic with a non-Catholic. In view of this and with concern for the good of souls, the following norms have been established:

1. When all the conditions set down in the sacred canons have been fulfilled, the marriage must be celebrated in the Catholic Church. The Ordinary has the faculty to permit the celebration of Mass also.

2. After the celebration of the marriage, a non-Catholic minister may be called to the home of the couple to impart a blessing there (without any renewal of consent). If it is desired, a prayer may be added petitioning good fortune for the spouses.

3. If, in an extraordinary case, for the avoidance of greater evil, it will be altogether necessary to tolerate having some religious ceremony in a non-Catholic church itself (always with the exclusion of renewal of matrimonial consent), it must be done without pomp; every precaution is to be used to avoid scandal or wonderment on the part of the people. The Ordinary has a serious obligation in conscience and he must keep in mind the danger of spreading religious indifferentism and relativism.

Your Excellency is empowered to act strictly within these limits and always on the supposition that there is a proportionately grave cause and that the danger of scandal and 'admiratio' is avoided.

In his letter of July 13th (N. 985/65) the Cardinal Secretary further explains that, if there is grave reason for a second (non-Catholic) ceremony, this cannot take place in a Catholic church. It must be clearly stated that the only ceremony is that celebrated in the presence of the Catholic priest.

It must be insisted in every case that, instead of a second ceremony in a non-Catholic church, the part of a non-Catholic minister is limited to the imparting of a blessing and a sermon in the home of the parties immediately after the Catholic rite.

For any case that departs from the above directives in any way, the Ordinary must have recourse to the Holy Office.

(Private); Holy Office. 13 July, 1965, Prot. N. 985 65; reported in letter from the U. S. Apost. Del., 31 July, 1965, Prot. N. 19/36. a copy of which was kindly sent us.

Norms Regarding Double Marriage Ceremony (Holy Office, 25 July, 1965) Private.

In your letter of 22 June of this year, Your Excellency requested the faculty to allow V. N., a Catholic, to go before a non-Catholic minister to contract marriage with J. V., an Orthodox.

On this matter, I am communicating to you the following norms which must be followed in cases of this kind.

1) When all the conditions set down in the sacred canons have been fulfilled, the marriage must be celebrated in the Catholic Church. The Ordinary has the faculty also to permit the celebration of Mass and the blessing of the bride within the Mass. Even if other ceremonies follow, it must be expressly declared that the marriage celebrated in the Catholic Church is the only true marriage.

2) If. after the celebration of the marriage, the non-Catholic party absolutely plans to have a non-Catholic rite follow, the parties may summon a non-Catholic minister to their home in order to have him impart a blessing (without any renewal of consent): if desired, he may also add a prayer petitioning good fortune for the spouses.

3) If, however, in an extraordinary case it will be necessary to tolerate having some religious ceremony in a non-Catholic church in order to avoid greater evil, (e.g., marriage before a non-Catholic minister only), the Ordinary should take care that this be done without external pomp: that scandal be removed and that a previous declaration be made that the only true marriage is that which was celebrated in the Catholic Church.

The Ordinary shall take care that the above-mentioned norms be observed in the best way possible.

/s/ P. R. Verasto, O.P.
Cons.

(Private); Holy Office, 25 July, 1965; reported by the 1965 Committee on Research of the Canon Law Society of America.

Mixed-Rite, Mixed-Marriage Ceremony. See c. 1097; S. C. Eccl. Or., 28 Sept., 1962.

CANON 1065

Marriage By Catholic Mason (S. C. Doct. Fid., 8 Apr., 1967) Private.

Case: A man, born of Catholic parents and baptized and confirmed in the Catholic Church but in his adult life, following the bad example of his father, joined the Masons and gave up the practice of his religion. He married a non-Catholic woman in an Episcopalian church. No children have been born of the union. Now, although he is not disposed toward reconciliation with the Church by sacramental confession, he wishes to convalidate his invalid marriage, or, as he himself expresses it. to receive the "blessing" of the Church on his invalid union. Moreover, he is not disposed to withdraw from the Masons for sentimental reasons, e.g., he has been a member of the Masons for many years; his "brothers" have several times helped him in definite cases when he had economic difficulties; etc.

However, there is the fact that for many years he has not attended meetings of the Masons, probably because he has for some time been suffering from heart trouble and his wife is semi-blind and is the daughter of a Catholic father.

According to his pastor, he is, in a sense, ignorant, little able to understand the absolute incompatibility of Catholic doctrine and Masonic errors. Notwithstanding this fact, he seems, in the judgment of his pastor, to be a person of good will.

The pastor is also of the opinion that there exists hope for a reconciliation of the petitioner with the Church at a future date as well as for the conversion of his spouse. The pastor also gives assurance that no scandal need be feared if the marriage is convalidated and that he will use the convalidation to lead the petitioner back to the Church as quickly as possible.

In view of the foregoing, I humbly ask if convalidation of the marriage at hand will be permitted without stipulating as a condition that the petitioner withdraw from the Masons. To be

considered are his ignorance and the hope of his later reconciliation with the Church and the possible conversion of his wife. I make bold to submit the case because it seems to me that, in recent times, there has been some lessening of the hostility of the Masons toward the Church, at least of Masons in the United States.

Reply: Inasmuch as it appears from canon 1065 that Masons are not absolutely excluded from contracting marriage and that authorization to marry depends upon the prudent judgment of the Ordinary, this Sacred Dicastery believes it should reply that the matter is to be left to your prudence and conscience. Therefore you can permit the petitioner to convalidate his marriage if, after attending to canons 1065 and 1066, it seems to you good in the Lord. Since the petitioner seems to be in good faith: since there is no danger of raising children in a non-Catholic sect; since convalidation of the marriage is believed to pave the way for future full reconciliation of the petitioner with the Church and even for conversion of the woman, there seems to be no reason why you cannot accede to the petitioner's request if danger of scandal is removed.

(Private); S. C. Doct. Fid., 8 Apr., 1967, Prot. N. 1031/67m; kindly sent us by the Rt. Rev. Msgr. Henry P. Cosgrove, *Officialis* of the New Orleans Archdiocese.

Determination of Marriage Rite Unchanged by Non-Practice of Catholicism. See c. 1097; U. S. Apost. Del., 13 Jan., 1965.

CANON 1066

Catholic Mason: Marriage by. See c. 1065; S. C. Doct. Fid., 8 Apr., 1967.

CANON 1067

Nonage Marriage Declared Null Without Formal Process (Holy Office, 7 May, 1965) Private.

Case. The Archbishop of Omaha sent a nonage case to the Holy Office and stated in his *votum:*

We are herewith enclosing the petition of B. S. who has appealed for a declaration of nullity in an *aetas* case. Both

B. S. and her husband, J. H., were baptized Protestants at the time of their marriage which took place when B. S. was only 13 years of age. Substantiation of these facts is contained in the documents appended to B. S.'s petition. If a declaration of nullity granted directly by the Sacred Congregation of the Holy Office is not possible, B. S. petitions that the Omaha Tribunal be granted faculties to process her case along the ordinary lines.

Reply. After having subjected the acts of the case to mature examination and carried out all that the case required, this Supreme Sacred Congregation replies: Proof is had of the nullity of marriage in the instance because of the impediment of age on the part of the petitioner.

(Private); Holy Office, 7 May, 1965, Prot. No. 56m/64; copy of the original kindly sent us by the V. Rev. Msgr. Anthony B. Mickells, Vice-Officialis of the Omaha Tribunal.

Impediment: To marriage: nonage, when dispensation reserved to Holy See. See c. 329, IX, 11 ; AAS 58-469.

CANON 1068

Impotence: Closed Vagina: Artificial Vagina (Rota, 22 Feb., 1963) Private.

This decision of the Rota, *coram* Sabattani, reported in *Monitor Ecclesiasticus,* vol. 89, 1964, pages 147-171, contains the following elements which are of special importance *in ture:* 1. a summary of the jurisprudence of the Rota on the question of impotence deriving from the occlusion of the vagina; 2. a proposed definition of the vagina, primarily anatomical but taking into account also its function; 3. arguments to show that a declaration of nullity for impotence because of a closed vagina is not necessarily contrary to three previous decisions, namely: Holy Office, 23 July, 1890; Supreme Signatura, 27 June, 1931; Holy Office, 12 February, 1941; 4. various applications of the principles on the closed vagina; 5. some discussion concerning an artificial vagina.

After a brief statement of the facts we will attempt to present

the substance of these five juridical aspects of the decision, neglecting the procedural steps by which the case came before the Rota and the evidence supporting the facts as determined by the Court.

Facts. The woman, aged 20, had never menstruated. Repeated attempts to consummate the marriage proved futile because penetration was impossible. Physical examination by experts revealed that the vagina, at a depth of only two centimeters, was entirely occluded, the remainder of its normal length consisting of a tough, fibrous cord with no opening whatever, separating it completely from the uterus. This condition had existed prior to the marriage and was declared to be irremediable except by an extraordinary operation of dubious outcome.

hi hire. 1. *Summary oj Rotal Jurisprudence.* Up to 1924 the jurisprudence of the Rota held consistently that the occlusion of the vagina at its far end is a ground of nullity. The contrary thesis was first enunciated in a decision of 9 February, 1924. *coram* Parillo (R.D. 16-26) and, though this was reversed by another *turnus, coram* Massimi, on 17 April, 1926 (R.D. 18-133), on a further appeal this was in turn reversed and the first decision *(non constare)* was confirmed, *coram* Jullien, 7 Feb., 1927 (R.D. 19-25), and this last decision was confirmed by the Supreme Signatura, 27 July, 1931. This was the beginning of a crisis of contradictory decisions which persisted up to very recent years. The two theses were in open contradiction. For example, in favor of impotence for this cause is a decision of 20 Feb., 1941, *coram* Grazioli (R.D. 33-73); against impotence is that of 26 Jan., 1946, *coram* Wynen (R.D. 38-83). The controversy centered in a diversity of opinion regarding the function of the vagina: is it sufficient that it *receive* the semen, or is it also required that it *transmit* it — that is, at least that it shall not prevent its transmission because of a defect intrinsic to the vagina itself.

In very recent years this controversy seems to have subsided. The Rota has returned to the jurisprudence of pre-1924 in favor of nullity. A leading case to this effect is one of 5 August, 1954, decided not by the Rota but by the appellate tribunal of Bologna, *coram* Sabattani, who is the *Ponens* also in the present Rota case. (The Bologna case is reported in Canon Law Digest, 4, pp. 317-320.) More recent Rota cases to the same effect are

those of 8 July, 1958, *coram* Felici; 28 October, 1961, *coram* Ewers; 14 February, 1963, *Coram* Rogers.

In this more recent jurisprudence of the Rota, some inept or uncertain criteria are these:

a) The "monstrosity" of the vagina. This means nothing until we have a physiological definition of what the vagina should be.

Z>) The length or brevity of the vagina is not in itself decisive.

c) That the vagina be "open at both ends" is not sufficient unless the far end is open at least to the *collus uteri;* for there are cases where the vagina is indeed open but leads to another organ than the uterus. It cannot then be called a true vagina.

2. *A Proposed Definition oj the Vagina:* "the female organ for copulation, consisting of a specific and open canal, beginning at the vulva or the place where the vulva should be, leading to the uterus and terminating at the *collus uteri."* (This definition is substantially the same as that proposed by this same judge in the Bologna case. Cf. Canon Law Digest, 4, at bottom of page 318.) Sabattani prefers to be guided by this definition rather than by the distinction between *"actio humana"* and *"operatio naturae."*

3. *Arguments denying* that a declaration of nullity in this case would conflict with three previous decisions of high authority.

a) A decision of the Holy Office, 23 July, 1890, held that marriage should not be impeded because the woman had lost the ovaries *and the uterus* through surgery. Some held this to be decisive against nullity, since if the uterus is missing the vagina cannot open into it.

Sabattani refutes this by showing that there are various types of operation for hysterectomy, not all equally radical. *Hysterectomia totalis simplex* and *hysterectomia longior,* in removing the uterus, impair the vagina itself; but a less radical operation was known even at the time of that decision of the Holy Office (1890). This is *hysterectomia subtotalis,* which leaves the vagina intact and terminating at the *collus uteri.* This latter would not produce impotence nor impede the marriage. This may have been the ground of this decision of the Holy Office; hence this decision does not necessarily exclude impotence if the vagina itself is impaired or essentially deficient.

b) A decision of the Supreme Signatura of 27 June, 1931. (This is the decision referred to above under *In lure,* n. 1). Only

the dispositive part of this decision was officially published, no detailed statement of facts nor reasons for the decision being given. But from the record of the case published later in *II Diritto Ecclesiastico,* 1932, pages 252-255, we know that it was a case of retroversion of the uterus, a condition which leaves the vagina intact and hence does not come within the principle that is relied on in the present case.

c) A decision of the Holy Office of 12 February, 1941. (This reply, whose date is elsewhere given as 1 March, 1941, is reported in the decision of a case from the diocese of Worcester, in Canon Law Digest, 5, p. 530 and note). This Holy Office case concerned the consummation of marriage, and the reply was that even a very slight penetration, with ejaculation, is sufficient to consummate the marriage. The present case is different; the question of impotence here must be decided with reference to the physiological definition of the vagina (above. *In lure,* n. 2), a matter with which the decision of the Holy Office was not primarily concerned.

4. *Various Applications oj the Principle, a)* If the vagina itself is not integral but cut off, or is closed either by a natural defect or by surgery, the case is one of impotence.

b) Divisions of the vagina by membranes *(septa),* if *longitudinal,* do not impede copula and hence do not provide a ground for nullity; *transverse* membranes which entirely close the vagina before reaching the *collus uteri* constitute impotence, which however is not permanent, since it can be corrected by a relatively easy surgical intervention.

c) Narrowness of the vagina is not ordinarily impotence, provided consummation is possible, at least in the manner described in the cited reply of the Holy Office.

d) If the vagina leads not to the uterus but to some other organ, the case is one of impotence.

c) Retroversion of the uterus, though it impedes the passage of the sperm, is not a defect intrinsic to the vagina, and hence does not constitute impotence.

/) The same must be said of an occlusion which is confined to the *collus uteri,* for anatomy regards this part of the uterus as belonging to an organ which is distinct from the vagina.

5. *Artificial Vagina.* The jurisprudence of the Rota has held almost consistently (with one exception, a decision which is not

conclusive on this point), that an artificial vagina constitutes impotence. However, the mere fact that the vagina is an artificial one does not seem to be *always* a sufficient basis for impotence. It would be a case of impotence if the vagina had been entirely lacking and an artificial one was somehow contrived *out oj non-human materials,* for instance, rubber. Copula would then be effected through a contrivance that is not properly a human organ. But the most approved surgical procedure is to repair or construct a defective or missing vagina *out oj human elements,* namely, skin taken from the hips of the person herself, or part of the intestine. In that case the repaired or fabricated vagina is still a human organ and does not provide a basis for certain impotence. When the need for an artificial vagina exists at the time of the marriage, the impotence is juridically permanent, because the surgery required in these cases is extraordinary and dangerous. The marriage would consequently be invalid. If the woman afterward voluntarily submitted to surgery to produce an artificial vagina, and if it were successful, matrimonial consent should be renewed.

Decision: *Constare de matrimonii nullitate in casu, vetito mulieri transitu ad alias nuptias.*

(Private); Rota, 22 Feb., 1963; reported in *Monitor Ecclesiasticus,* 89 (1964)1-147-171.

Marriage of Doubly Vasectomizcd Man: \zarious Questions and Replies (Holy Office, 28 Jan., 1964; 25 Mar., 1964) Private.

Case. The following case is presented to the consideration of the Congregation of the Holy Office for an interpretation on the law and for decision.

The tribunal of Worcester accepted the case since it was competent by virtue of contract and domicile. When the evidence was taken completely, the tribunal became aware of the fact that there was probably a *dubium iuris et jacti* present and that, if there is a *dubium iuris,* it would be beyond its competency to make a decision on the nullity of the marriage.

The Congregation of the Holy Office, in a ruling dated 28 September, 1957, stated *"in casu vasectomiae bilateralis matrimonium ad normam* (C. *1068,* §2) *non esse impediendum."*[1] In

[1] Reported in Canon Law Digest, 5, p. 506.

view of this ruling, the tribunal could not decide how the Canon 1068, § 1 and § 2 was to be interpreted and applied in this case of S-H.

In this case, the defendant, prior to the marriage and by virtue of a pact, subjected himself to an operation of bilateral vasectomy. The evidence submitted indicates with moral certitude that the operation did take place by mutual agreement in order that no children would be born of the union, since the principals were led to believe that the insanity in the defendant's family would be inherited by any children he might father. But the following questions then arise:

1. Is or is not the defendant impotent since the bilateral vasectomy performed renders it impossible perpetually and prior to the marriage for the defendant to effuse *"veruni semen in vaginam"*?

2. Is the marriage invalid since a bilateral vasectomy was performed deliberately prior to the marriage to prevent attainment of the primary end of marriage?

3. If this marriage is invalid, is it because of impotency arising from the bilateral vasectomy and/or because there was a defective intention *contra bonum prolis?*

4. Does the ruling of the Congregation cited above refer only to cases of bilateral vasectomy which, when performed, had at that time no reference to marriage?

5. Is the ruling of the Congregation cited above to be applied in all cases of bilaterally vasectomized men desiring to marry or was the ruling applicable only to the individual case about which the Congregation was consulted?

6. Does the ruling of the Congregation indicate that the capability of ejaculation of *verum semen* can be considered doubtful as a rule in a bilaterally vasectomized man?

7. Would the ruling be applicable in cases in which medical evidence indicates that a given operation of bilateral vasectomy before a marriage will certainly, irreversibly, and perpetually prevent the passage of semen?

Reply. In due time there have arrived at the Holy Office the acts of the process of a case in which it is alleged that the marriage of S-H is invalid because of impotency.

After having subjected the acts to mature examination and fulfilled all the legal requirements of the case, the most Eminent

and Reverend Fathers of the Supreme Sacred Congregation, in the plenary session of 22 January, 1964, decreed: "The marriage cannot be declared null on the basis of impotency. This decision does not exclude the possibility of drawing up a process under another heading (e.g., exclusion of children)."

(Private); Holy Office, 28 Jan., 1964, Prot. No. 1405/62; reported to us by the Rt. Rev. Msgr. Timothy P. O'Connell, *Officialis* of the Diocese of Worcester.

After receipt of the above reply, the Diocese of Worcester wrote on 6 Feb., 1964, to inquire why the above marriage could not be declared null on the basis of impotency.

Reply. Tn Your letter of 6 February of this year, Your Excellency requested to know for what reasons this Supreme Congregation decreed that the marriage of S-H could not be declared null on the basis of impotency.

On this matter I inform Your Excellency that this Supreme Sacred Congregation passed such a decree following the decision given by the same Sacred Congregation in 1935,2 sc., marriage must not be impeded when there is question of bilateral vasectomy.

As for the other points proposed by Your Excellency, this Sacred Congregation does not think it opportune to make any decision since on these matters unanimity of opinion does not exist between moralists and canonists.

(Private); Holy Office, 25 Mar., 1964, Prot. No. 1405/62; reported to us by the Rt. Rev. Msgr. Timothy P O'Connell, *Officialis* of the Diocese of Worcester.

Marriage Involving Man Lacking Both Testicles as Result of Surgery Declared Capable of Simple Convalidation (Holy Office, 11 June, 1965) Private.

Case. Fabius, baptized Roman Catholic, contracted marriage with Livia, baptized Roman Catholic, before a non-Catholic minister in 1947. In 1957 Fabius underwent an operation which consisted of removal of both testicles (orchiectomy) and a partial prostatectomy at the neck of the bladder. The operation left intact the prostate, seminal vesicles, and sphincter muscles.

* Reported in Canon Lxw Digest, 3, p. 410.

Several years after the operation, Fabius and Livia requested permission to convalidate their marriage. The case was sent to the Sacred Congregation of the Sacraments with the thought that it would sanate the marriage from the time of the original non-Catholic ceremony when the man was definitely potent. While the Tribunal requested permission for convalidation *or* sanation it included the request for convalidation merely as a formality since the Tribunal was certain that the man was impotent. Every author agrees that a man lacking both testicles is impotent. There is also the *Motu proprio, Cum frequenter,* of Sixtus V that eunuchs cannot validly marry, a document which Cappello calls an "authentic and infallible declaration of the natural divine law."

Reply. The Holy Office (not the Sacred Congregation of the Sacraments) sent back the following rescript:

In your letter, Your Excellency proposed the following doubt: whether Mr. N. N., who is lacking both testicles, should be considered impotent and, therefore, whether the marriage he contracted with Z. Z. can be convalidated.

Regarding this matter I inform you that the eminent Fathers of the Supreme Sacred Congregation, after mature consideration of the case, have, in their plenary session held on 2 June, 1965, decided to reply: The marriage in the instance can be convalidated.

(Private); Holy Office, 11 June, 1965, Prot. No. 4543m/63; the summary of the case and copy of the original reply were kindly sent us by the assistant chancellor of a diocese in the eastern United States.

Marriage Not to Be Impeded in Case of Man With Congenital Lack of Both Testicles (Holy Office, 11 July, 1965) Private.

Case. George, at age 20, consulted a priest about getting married and mentioned that he was considered sterile by his medical doctor. The doctor had first seen him at age 16 with the complaint that he had undescended testes since birth and that he was not developing normally into an adult male. Examination revealed no secondary sexual characteristics: no beard, axillary or pubic hair, a preadolescent obese body build. The scrotum was very small as was the penis. Vestigial vasa, epididymides, and possible testicles were palpated on both sides. The prostate was nondistinguishable. His voice was high-pitched.

He was hospitalized and evaluated. The genetic sex was determined to be definitely male. Cystoscopy revealed a small prostate. It was believed at that time that he had hypogonadism and that the structures in the scrotum contained also rudimentary testes. He was placed on chorionic gonadotropin but got no improvement after many shots. He was then started on testosterone injections and within several months had definite response, and within one year had a complete change into a normal male with facial, axillary and pubic hair, lowering of the voice, growth of the penis, prostate, and scrotum, and loss of excess body" fat with conversion into a normal young adult male body build.

Two years later scrotal exploration was performed. A vestigial vas was found but no testes. Biopsy revealed only fibrous tissue in an area thought to contain either epididymides or testes. He was continued on testosterone. Later testicular prostheses were implanted. The patient was continued on testosterone with excellent results. He began having nocturnal emissions on occasion. Two years later abdominal exploration was performed and careful examination of the entire abdominal cavity failed to uncover any testes. A short time later the patient submitted a semen specimen from nocturnal emission and no sperm could be found in that sample.

Authorities of the Archdiocese judged the young man to be canonically impotent. He appealed the judgment and the matter was referred to the Sacred Congregation of the Holy Office.

Reply. Regarding the case I inform you that the eminent Fathers of this Supreme Sacred Congregation, after mature consideration, decided in their plenary session to reply to the proposed doubt: In view of can. 1068, par. 2, marriage in the instance must not be impeded.

(Private); Holy Office, 11 July, 1965, Prot. No. 712-64; summary of case and copy of the original reply kindly sent us by the Rev. Robert A. Amann, Assistant Chancellor of the Archdiocese of Cincinnati.

Impotence Supervening. Radical sanation cannot be granted. See c. 1139; Holy Office, May, 1963.

Simple Convalidation Indicated for Marriage Involving Impotency Surgically Produced. See c. 1137; S. C. Doct. Fid., 14 Dec., 1966.

CANON 1070

Dissolution Involving Oriental Impediment of Disparity of Cult. See c. 1127; S. C. Eccl. Or., 12 April, 1965.

Faculty to Dispense. See c. 329; Paul VI, 30 Nov., 1963, n. 20; Holy Office, 11 Dec., 1963.

Validity of Baptism Among Jehovah Witnesses. See c. 1127; S. C. Doct. Fid., 4 April, 1966.

CANON 1071

Marriage: Mixed: when all impediments reserved to Holy See. See c. 1061, ref.

CANON 1072

Celibacy Dispensed So Priest Can Marry (S. C. Doct. Fid., 3 Feb., 1967) Private.

Petition: A. B., a priest professed in the religious congregation of N. and now living in the diocese of X., humbly prostrate at the feet of Your Holiness, requests a dispensation from all the obligations emanating from sacred Orders, not excepting the obligation to observe the law of sacred celibacy.

Reply: Our Holy Father, Pope Paul VI, after having received a report on the case from His Eminence, the Cardinal Pro-Prefect of this Sacred Congregation, graciously deigned to grant the dispensation as requested.

The Ordinary of X. should see to it, as far as he can, that the matter be cautiously dealt with so as to avoid scandal or wonderment on the part of the faithful. As a result, before executing the grant, he should duly warn the petitioner that he should stay away completely from places where his previous status was known. The local Ordinary should declare the said petitioner and his associate absolved from all censures and admonish them to compensate the grant by a life which will be exemplary in every way, and by being a model for others as well as by undertaking some work of religion or charity.

With reference to the celebration of a canonical marriage, the Ordinary should see to it that there is no form of pomp or display; that the wedding take place in the presence of a priest who is both worthy of trust and tenacious of secrecy; that there be

no witnesses, or, if there should be need of them, that the two witnesses be curia personnel. Record of the marriage should be kept in the secret archives of the curia. In the baptismal registers of the parishes of the petitioner and his associate it should be noted: the local Ordinary must be consulted if at any time notices or documents are needed.

Finally, if any wonderment should arise on the part of the faithful, the Ordinary should see to it that it be met by appropriate explanation.

All things to the contrary notwithstanding.

(Private); S. C. Doct. Fid.. 3 Feb., 1967, Prot. N. 534/54; translated from copy of the original document.

Dispensation for Priest to Marry Non-Catholic Refused: A priest-religious petitioned reduction to the lay state. After two years of exclaustration, his original request was granted without a dispensation from the obligation of celibacy but with the suggestion that if he found celibacy difficult, he should request a dispensation from it. Later he did request a dispensation to marry a non-Catholic woman whom he hoped to convert. *Reply:* no dispensation to marry would be granted until the woman is actually converted. S. C. Doct. Fid., 11 Oct., 1966, Prot. N. 1352/66.

Sacred Orders: Impediment to marriage; dispensation from diaconate and priesthood reserved to Holy Sec. See c. 329, IX, 12; AAS 58-469.

CANON 1073

Impediment: To marriage: crime; when dispensation reserved to Holy See. See c. 329, IX, 13; AAS 58-469.

To marriage: solemn religious profession; dispensation reserved to Holy See. See c. 329, IX, 12; AAS 58-496.

CANON 1075

Impediment: To marriage: crime; when dispensation reserved to Holy See. See c. 329, IX. 13 ; AAS 58-469.

CANON 1076

Impediment: To marriage: consanguinity; when dispensation reserved to Holy See. See c. 329, IX, 14; AAS 58-469.

CANON 1077

Impediment: To marriage: affinity in direct line; when dispensation reserved to Holy See. See c. 329, IX, 15; AAS 58-469.

CANON 1081

Contraception. See c. 218, ref. "Population Growth."
Ordinary to Use His Right Regarding Competence of Party to Marry'. See c. 1039; Holy Office, 14 Feb., 1962.

CANON 1082

Ignorance of Nature of the Conjugal Right (Rota, 25 Nov., 1965) Private.

Facts. This marriage was celebrated in 1944 between Monica and Ernest, both baptized Anglicans, before an Anglican minister. In 1954 the parties separated because of desertion on the part of the woman. The man afterward obtained a divorce and remarried. In 1957 the woman entered the Catholic Church, and in 1959 she brought suit for nullity on the ground that she was ignorant of the nature of marriage. The judgment, 10 March, 1961, was adverse to her claim, but it was reversed by an appellate tribunal, 8 March, 1962, and so the case is brought to the Rota on appeal.

At the time of the marriage the woman was 24 years of age, of at least average intelligence and culture, had attended public schools, made elementary studies in biology, was fond of music. For six months before the marriage the parties had had the normal relations of an engaged couple, with the usual signs and gestures of endearment, but without sexual intercourse.

That with this background and at the age of 24 she could remain ignorant of the conjugal right is explained by an extraordinary combination of facts. Her mother and father had, since her early childhood, occupied separate apartments in the house. Not only were "the facts of life" never revealed to her, but her mother consistently misinformed her and misled her with false principles. Sex was something intrinsically evil and unmentionable. At her first menstruation, when she went in some alarm to her mother, she was simply told that this would happen every month. At the birth of her little brother she was told that "the

doctor brought him." In her reverence for her mother it never occurred to her to doubt her word. Questions on the subject were not permitted. Thus she not only remained in complete ignorance, but she developed an instinctive abhorrence for everything connected with sex, a sentiment which her natural simplicity and purity of heart tended to accentuate. There is much more to the same effect in the evidence and in its discussion by the Court, but it must be omitted, especially as the chief interest of the case lies in the Court's clear and forthright exposition of the law regarding ignorance of the conjugal right.

The Law. Some authorities consider canon 1082 as standing by itself, apart from canons 1081 and 1013, as if it alone purported to state absolutely the degree of knowledge that is *sufficient* for valid matrimonial consent: *"necesse est ut contrahentes saltern non ignorent matrimonium esse societatem permanentem inter virum et mulierem ad [dios procreandos."* The Court actually cites an earlier Rota decision in which this canon is quoted with emphasis on the word *"saltern,"* which is interpreted parenthetically as ("ideoque *satis* est"); whereas on the contrary *"saltern"* clearly indicates that *this knowledge at least is required,* without any intimation that it is also sufficient. It cannot be sufficient without some knowledge of the *"ius in corpus"* which is conferred by mutual contractual consent (c. 1081, §2).

The Court calls attention to the extraordinary reticence and obscurity with which many authorities treat of this essential matter. This decision clearly holds that valid consent requires more than the mere knowledge that marriage is a permanent society between a man and a woman for the purpose of "having" children. The words of canon 1082 are *"ad filios procreandos." "Procreare,"* in this context implies sexual cooperation. There must be knowledge that by the marriage contract the parties mutually confer the right to mutual bodily cooperation by means of sexual organs. *"Sufficiens haberi debet praevisus mutuus concursus physicus, ponendus per quaedam organa specifica, huic operi aptata et propria, quamvis a contrahente non clare perspecta et cognita in eorum identitate.*

Because of this clear and forthright statement of the law. the present decision deserves to be classed as a "leading case" on the subject of the nullity of marriage because of ignorance of the substance of the contract.

The Decision. *Affirmative, seu constare de matrimonii nullitate in casu.* The *Turnus:* Doheny, Mattioli (Ponens), Bonet, (Private); Rota, 25 Nov., 1965. *Monitor Ecclesiasticus,* 90 (1965)-429-448.

Nature of Marital Consent (New York Tribunal. 30 Dec.. 1965) Private.

Case: The petitioner, a woman, alleged that her marriage was invalid because the defendant lacked the mental capacity requisite for true marital consent.

In examining the case, the Court said:

"In the functioning of man's intellectual processes, a distinction must be made between the cognoscitive faculty and what the Rota has termed the critical faculty. The former merely apprehends the simple truth with regard to a particular object; the latter involves the making of a judgment wdth regard to that object. For a person to be held responsible for his actions, the cognoscitive faculty alone does not suffice. Rather, the operation of the critical faculty is necessary inasmuch as this faculty alone is able to form a judgment and thus produce a truly human act. With regard to the operation of this faculty, it must be held, as the Sacred Roman Rota has defined, that the discretion (the end result of the critical faculty) required for various acts will differ, depending on their nature. The Tribunal holds, in accordance with the teachings of St. Thomas, that a greater degree of discretion is required for marital consent than would be necessary for the commission of a mortal sin. In later Rotal decisions this concept of due discretion as a requisite for consent has been further delineated to include not merely the act of mature judgment but also the ability of the person to fulfill the obligations inherent in the contract. Thus, the Rota states, 'Likewise we believe it must be noted that for valid consent mere intellectual cognition does not suffice but, in addition, there is required the capacity to put that knowledge promptly and spontaneously into practice'" (S. *R. R. Decisiones,* 19 December, 1961, c. De Jorio).

The Court then considered two kinds of abnormality in this case: schizophrenia and inadequate personality. From a psychiatric manual it defined inadequate personality as follows: "Such

individuals are characterized by inadequate response to intellectual, emotional, social and physical demands. They are neither physically nor mentally grossly deficient on examination, but they do show inadaptability, ineptness, poor judgment, lack of physical and emotional stamina, and social incompatibility."

There was a wealth of medical testimony in this case. Some of the psychiatric reports declared the defendant schizophrenic. Others did not, giving rather another diagnosis, as for example the following from a U. S. Naval Hospital where the defendant was treated:

"It was noted the patient was extremely immature, curious, and preoccupied with fears of somatic complaints. Among other symptoms, the report noted his irritability, sensitivity to noise, difficulty in sleeping, poor appetite, and a desire for seclusion. There was no evidence of hallucinations, delusions, or disorientation. The report indicates that in view of the lifelong history of emotional instability, marked anxiety, and irritability, in addition to his inadequacy in school, industry, personal and military adjustments, the diagnosis of 'Inadequate Personality' was considered appropriate and he was discharged."

The medical experts called in by the Church Court were not positive about the presence of schizophrenia. One of them said:

"I am unable to form a definite opinion as to whether the defendant ever had a schizophrenic reaction and as to whether he was schizophrenic at the time of his marriage. But I feel very strongly that the exact diagnosis in this case is irrelevant: whether he was psychotic or not, his clearly documented mental illness at the time of the marriage rendered him incapable of contracting it."

Decision: "It is the judgment of this Tribunal that the opinion of the medical expert above-quoted to the effect that the defendant, regardless of diagnosis, was incapable of giving true marital consent, is sufficiently supported by the facts to warrant acceptance. Even were it conceded that the respondent was not psychotic, the fact that this man exercised atrocious judgment is indicative of his lack of that discretion which is requisite for valid marital consent.

Constat de nnllitate matrimonii in casu."

(Private); New York Tribunal. 30 Dec., 1965, Prot. N. M-63-845. On appeal, this sentence was confirmed by the Court of Second Instance at

Philadelphia, 3 May, 1967. Summary of case, the decision and other data kindly supplied by the Rt. Rev. Msgr. Stephen J. Kelleher, *Officialis* of the New York Tribunal.

Schizophrenia: Mental capacity for marriage left to judgment of Ordinary. See c. 1039; Holy Office, 14 Feb., 1962.

CANON 1086

Bonum Fidei Cases: study of recent (1949-1963) Rotal jurisprudence, in *The Jurist,* 25 (1965)-407-428 (Tobin).

CANON 1087

Persons With Doubtfully Valid Baptism Held by This Canon. See c. 1902; Rota, 29 Nov., 1963.

CANON 1094

Canonical Form of Marriage Dispensed (S. C. Doct. Fid., 5 Nov., 1966; 25 Apr., 1967) Private.

Following are two cases which were resolved in favor of a dispensation from the canonical form of marriage and were performed in non-Catholic churches before non-Catholic ministers.

I

Case: M. G., a Catholic man, and M. B., a Lutheran woman have been going together for two years with a view to marriage. Miss B. is well disposed toward the Catholic religion and has met with a certain priest on several occasions to discuss the Catholic religion. After the couple arranged for their marriage to take place in the Catholic parish church, Miss B. went through all the preliminaries at the parish rectory and is prepared to raise her children as Catholics and foresees the day when she will become a Catholic herself. She is actually taking a course in the religion and devotes herself to some work for the Church.

However, her parents now declare themselves irrevocably opposed to the marriage if it takes place in a Catholic church. Both the engaged parties are desperate because of the intransigence of Miss B.'s parents and can do nothing to overcome it. Moreover, the Lutheran Synod has formally prohibited its pas-

tors from assisting at a marriage celebrated in the Catholic Church and from addressing "any words of exhortation" *(Matrimonii sacramentum,* I7)l at the end of the ceremony.

On the well-founded belief that if they act against the will of the bride's parents, the parties will forever rupture their relations with her family, they believe it will be necessary for them to present themselves to the Lutheran pastor for the celebration of their marriage. As a result, Mr. M. G. requests the favor of a dispensation from the canonical form for his marriage with M. B.

Persuaded as I am on the one side that greater spiritual benefit will result if this favor is granted both for the peace of soul of Mr. M. G. and, for the most part, also for Miss M. B., and knowing that such a favor has been already granted previously (S. C. S. O., Prot. N. 3995/63), the undersigned Archbishop strongly recommends that the favor be granted.

Reply: In your letter of 19 October of this year, Your Excellency requests a dispensation from the canonical form for the marriage to be contracted between M. G., a Catholic man, and M. B.. a non-Catholic woman, who refuses to give the guarantees *(cautiones)* 2

In this regard I inform you that this Sacred Congregation commits to Your Excellency's prudence and conscience to grant the dispensation from the canonical form provided that the Catholic party formally promises to fulfill his obligation, to the best of his ability, to provide for the baptism and Catholic education of his future children and provided that Your Excellency has moral certitude that he will fulfill his promise.

The non-Catholic party should be informed of the obligation the Catholic party is bound in conscience to discharge. All danger of scandal should be removed and Your Excellency shall take care that notation of the contracted marriage be made in the parish registry of marriages.

(Private); S. C. Doct. Fid.. 5 Nov., 1966, Prot. N. 3631/66; reported by the 1967 Committee on Research of the Canadian Canon Law Society.

II

Case: Titius, a Catholic from the diocese of N., wishes to contract marriage with Caia, an Episcopalian from P. The

l Reported in this volume, p. 592.

- Translator's Note: As is apparent from the original petition the Ordinary did not say the woman refused to give the *cautiones.*

parties wish to marry in P. They have agreed that all children born of their marriage shall be baptized and educated in the Catholic faith. I am certain that the faith of the Catholic party will also be respected in practice.

However, the father of Caia is an Episcopalian minister, the rector of the Episcopalian church of P. The couple have asked that the marriage be performed in the Episcopalian church with the bride's father officiating.

Titius, whose home is in N., is now serving in the United States Xavy and his ship has been based in P. since December of 1964. Titius has thus far shown himself to be a true and loyal Catholic, sincerely conscious of his obligations and willing to abide by the discipline of the Church. It is for this reason that he now asks for special consideration rather than attempting a marriage which he knows to be invalid and unlawful. Caia has been an Episcopalian from her birth and all of her relatives are practicing Episcopalians. Her father has devoted all his life to the service of the Episcopal Church, holds a position as rector of a prominent Episcopal church, and is an honorary canon of the Episcopal cathedral.

Prior to sending this petition, I also consulted with the Catholic Bishop of P. I find that he has no objections to the granting of this special permission. I am enclosing herewith copies of the correspondence that took place.

May I point out that the elements of publicity, notoriety and scandal would most likely be held to a minimum since the Catholicity of Titius is presumably known only to his own close friends and to the close friends of Caia's family. I am certain that they will all fully understand the circumstances, when the proper explanation is provided. It would be an entirely different case if the groom were a prominent native of Caia's country known by all to be a Catholic.

May I also point that following his marriage Titius intends to return to X. and take up residence here for an extended period of time while he completes his education. A priest here in X. who has been corresponding with the couple feels that the wife of Titius will find the Catholic Church in X. more to her liking than the Episcopal Church. To this extent there might be some hope of conversion.

Reply: In your letter of 3 April of this year, Your Excellency

requested a dispensation from canonical form in the case of a marriage to be contracted between Titius, a Catholic, and Caia, a non-Catholic.

In this regard I inform you that this S. Congregation commits the granting of the dispensation to the prudence and conscience of Your Excellency provided that: 1) the Catholic party formally promises to fulfill his obligation to provide for the baptism and Catholic education of his children and that Your Excellency has moral certitude that he will fulfill his promise: 2) the marriage will not be celebrated privately or secretly but in the presence of witnesses and at least in the public form recognized by that country; 3) all scandal and wonderment on the part of the people be removed.

The Catholic party must show a certificate of the celebration of the marriage to the Catholic pastor for due notation in the marriage registry book.

(Private); S. C. Doct. Fid., 25 Apr., 1967, Prot. N. 1424/67; translated from copies of the original documents. Annotations on the subject of mixed marriages in non-Catholic chuch: *Clergy Review,* 53 (1968)-58-61, 148–151 (McReavy).

Blessing of Marriage by Greek Orthodox Priest: Validation of mixed-rite marriage. See c. 1; S. C. Doct. Fid., 16 June, 1966.

Canonical Form Not for Validity: In marriage between Oriental Catholic and baptized Oriental non-Catholic. See c. 1; Cone. Vat. II., 21 Nov., 1964, n. 18.

In marriage between Latin Catholic and baptized Oriental non-Catholic. See c. 1061; S C. Ecd. Or., 22 Feb., 1967.

Marriage: Form: dispensation reserved to Holy See. See c. 329, IX, 17; AAS 58-469.

Form: still required for validity in all mixed marriages. See c. 1061, III; AAS 58-235.

Form: dispensation by local Ordinary in case of mixed marriage with baptized Oriental non-Catholic. See c. 1061 ; S. C. Eccl. Or., 22 Feb., 1967.

Mixed Marriage in Protestant Church: Permission refused. Sec c. 1109; S. C. Doct. Fid., 16 May, 1967.

Non-Catholic Orientals: Form of marriage required only for licitness in marriage of Catholics with baptized non-Catholic Orientals. See c. 1061; AAS 59-165.

CANON 1096

General Delegation to Assist at Marriages of Wanderers

(S. C. Sacr., 18 Nov., 1964) Private.

Petition: Since the same causes prevail, the Apostolic Administrator of Amos, humbly prostrate at the feet of Your Holiness, requests an extension of the rescript issued by the S. Congregation of the Sacraments on 3 October, 1959 (Prot. N. 6413/59) whereby he could grant general delegation to the missionaries of the congregation comrponly known as "Oblates of Mary Immaculate" so that they can validly and licitly assist at the marriages of the Catholic Indians who dwell as wanderers (vagi) within the confines of this diocese.

Reply: On 17 November, 1964, in virtue of faculties granted to it by Pope Paul λζI and after having attended to the recitals, the Sacred Congregation of the Sacraments graciously grants an extension for another three-year period to be computed from the date of this grant. Conditions for the grant are that before the celebration of the marriage the requirements of law be observed and that after the celebration of the marriage the officiating priest take care to transmit as soon as possible to the Ordinary a testimonial of the celebrated marriage so that it may be recorded in the marriage registry and that the other requirements of law are observed.

All things to the contrary notwithstanding.

Given at Rome, from the offices of the said Sacred Congregation, 18 November, 1964.

(Private); S. C. Sacr., 18 Nov., 1964, Prot N. 2-65; 1.-A-23; reported by the 1967 Committee on Rsearch of the Canadian Canon Law Society

Marriage: Form, in diocese of Rome. Auxiliary Bishops are delegated to assist at marriages. See c. 363, n. 5; AAS 58-115.

CANON 1097

Mixed-Rite Mixed-Marriage Ceremony (S. C. Eccl. Or., 28 Sept., 1962) Private.

Case: A Greek Orthodox man wishing to marry a Latin-rite Catholic girl, wrote directly to the Holy Father and requested

approval for the marriage to take place in the Greek Orthodox Church.

Reply: This Sacred Congregation has received a letter from N.N. written on the advice of a priest of the "Marriage Counsel" of your diocese.

N.N. desires to marry a Catholic. He does not object to making the necessary promises to have the children reared as Catholics. But because of what he calls a conviction of his conscience, he wants the marriage to take place in an Orthodox church. This obviously cannot be permitted. This Sacred Congregation suggests, however, that the marriage take place in a Catholic Church of the Greek Rite. If this is acceptable to N.N., the Sacred Congregation for the Oriental Church grants the necessary dispensation so that the bride of the Latin rite may be married in a church of the Greek rite.

It should be pointed out at the same time that this Sacred Congregation has only the letter of N.N. It is understood that the merits of the case are to be judged by Your Excellency. It is not even certain from the letter whether the bride-to-be is from your diocese. If she is not, Your Excellency is kindly requested to have the information transmitted to the proper Ordinary.

Private); S. C. Ecd. Or., 28 Sept., 1962, Prot. N. 274/62. Original reply written in English. Cf. *The Priest,* 19 (1963)–243–245, 437-438 (Abbo).

Determination of Rite I nchanged by Non-Practice of Catholicism (I.'. S. Apost. Del., 13 Jan., 1965) Private.

Case. On 29 December, 1964, the U. S. .Apostolic Delegate granted permission, *ad cautelam,* for a woman of the Byzantine Rite to marry in the Latin Rite a man who is a baptized but nonpracticing Catholic. Since it seemed that the man had never formally joined another religion, no petition was made for a dispensation from mixed religion but the permission required by canon 1065, § 2 had been given by the Bishop of C. On 30 December, the Chancery of C. wrote the Apostolic Delegate: ' For the future, would you kindly advise us about the necessity of appealing to the Delegation for permission in such cases?"

Reply. I can say that baptism in the proper rite is a fundamental consideration. Even though there may be a later failure to practice one's religion, this basic fact remains unchanged. Thus, it determines the rite in which one should be married and the affiliation of the children.

(Private) ; U. S. Apost. Del., 13 June, 1965; reported by the 1965 Committee on Research of the Canon Law Society of America.

Inter-ritual Marriage: Dispensation for, no longer reserved to Holy See. See c. 329; S. C. Doct. Fid., 1 Feb., 1967.

Vagi: General delegation to assist at their marriages. See c. 1096; S. C. Sacr., 18 Nov., 1964.

CANON 1099

Oriental Dissident, Received Into Latin Church Without Technical Formalities, Not Held to Canonical Form (Holy Office, 14 Feb., 1962) Private.

The following case was submitted to the S. C. for the Oriental Church regarding the validity of the marriage of the woman, H.K., with the man, J.R., but the reply was given by the Holy-Office.

This couple were married in N. on 9 January, 1944, in the Church of the Holy Trinity before the Reverend D.G. Both the church and the pastor of this church belong to the Greek Orthodox Archdiocese of North and South America.

The couple lived only a few weeks together until 9 February, 1944. H.K. left J.R. because of his treatment of her and because he refused to support her. She was reluctant to enter the marriage from the beginning but because she was twenty-six years old at the time, her aunt and father arranged the marriage for her. No civil action has taken place in relation to this marriage.

The question is, however, in relation to the validity of this union. H.K., although she was baptized in the Greek Orthodox Church in N. on 24 February, 1918, became a convert on the 9th of August, 1941. She was received into the Church by the Reverend C., a priest of the Latin Rite.

On this date Father C., according to the records, baptized her and she became a member, she thought, of St. Michael's Church in N., a church of the Latin Rite. According to her sworn testimony which is inclosed, she became interested in leaving schism through a woman friend of hers by the name of

L.L. At the time of the ceremony in St. Michael's Church, L.L. served as a sponsor.

According to H.K., she understood herself to have become by her reception of baptism from Father C., a member of the Latin Rite. She swears that when she took her instructions it was her intention to become a member of the same Church as her friend, L.L. It is obvious from the records that Father C., now dead, did not instruct the woman as to obtaining permission from your esteemed Congregation to enter the Latin rite.

Under these circumstances would or would not the reply of His Eminence, Eugene Card. Tisserant, to the Ordinary of San Francisco on 4 January, 1952, Protocol Number 1082-32.[1] be applicable, since H.K. actually chose in the act of her conversion the Latin Rite?

It is also to be noted that until recent times many of the clergy overlooked the requirements of obtaining formal permission from the Oriental Congregation for a convert from an Oriental schism to enter the Latin Rite. Possibly they were under the impression that the Apostolic Constitution, *Orientalium dignitas,*[2] permitted the transfer without recourse to the Holy See. It would seem that this is a possible explanation of how H.K. was received by Father C. without the formal permission being secured from the Holy See.

The result, however, of this is that the convert, H.K.. was received in good faith on her part into what she thought was the Latin Rite. It was not until she came to the Diocesan Tribunal that she became aware of the fact that a formal permission should have been obtained and that in the absence of such she was a member of the Byzantine Rite in union with the Holy See.

In view of the above, may I ask:

1. Did H.K. become a member of the Latin Rite on 9 August, 1941?

2. If she did, as such was she held to the law of the Latin Rite concerning Substantial Form?

3. If she was a member of the Latin Rite from 9 August, 1941, is not her marriage to J.R. invalid because of Defect of Substantial Form, since there never was a convalidation?

Reply: After careful study of the acts of the process for

1 Reported in this volume on p. 161.
2 Leo XIII, 30 Nov., 1894; *Fontes C. I. C.,* no. 627.

nullity of the marriage K-R, this Supreme S. Congregation, in reply to the doubt: "Is there proof of nullity of the marriage in the instance," has decreed:

"Proof of nullity of the marriage in the instance is not had from defect of canonical form."

(Private); Holy Office, 14 Feb., 1962, Prot. N. 2397/61m; copies of both documents, originally in English, kindly sent us by the Rt. Rev. Msgr. Timothy P. O'Connell, *Officialis* of the Diocese of Worcester.

Child of Non-Catholic Parents, Privately Baptized Catholic as Infant, Held to Canonical Form (Holy Office, 20 July, 1962) Private.

Case: A baptized Methodist girl, who considered herself a Methodist, and a baptized non-Catholic man were married before a justice of the peace on 18 September, 1948. Years later they were divorced and in April, 1958, the girl was conditionally baptized a Catholic. Prior to this baptism, she attempted to initiate a Privilege-of-the-Faith case, alleging that her Methodist baptism was invalid. However, in October, 1957, the Vice-Officialis of the Tribunal declared that she could not be permitted to enter another Christian marriage. After learning of the failure of her privilege case, she was told by her mother that she had been baptized by her Catholic grandmother when she was very sick at the age of three months. Her mother was the only witness to the baptism and her grandmother is now deceased. Only one other member of the family of her mother remembered her grandmother saying that she baptized her privately, although an additional member of the family has a hazy recollection of it.

As a very small child, the girl learned prayers from her Catholic grandfather, that is, the Hail Mary and the Our Father. She claimed that she used the sign of the cross as a child before she reached the age of seven and that she continued to say the Our Father all her life, although under the influence of her Methodist guardian she later used the Methodist ending to that prayer.

Because the marriage took place before 1 January, 1949, and because of the private baptism, a request was sent to the Holy See for a decision. In response to the letter, the Holy Office

asked for all the acts of the case and certain other information, including a statement indicating whether the woman was legitimated through the subsequent marriage of her parents. (She had been born outside of wedlock. Her mother was a Catholic and the alleged father was a non-Catholic. They never married.)

All the acts of the case were sent to the Holy See. It was an administrative process but the testimony was quite lengthy. The defender of the bond was not employed in the case.

Reply: The acts of the process in a case of asserted nullity of marriage of NN. have duly arrived at the Holy Office.

After subjecting the acts to mature examination and carried out all that must be carried out in the case, this Supreme S. Congregation has decreed: "Proof is had of the nullity of the marriage in the case on the grounds of defect of canonical form."

(Private); Holy Office, 20 July, 1962, Prot. N. 247m/5S; summary of case and the reply kindly furnished us by the Rev. James C. McDonald, *Officialis* of the Diocese of La Crosse.

Defect of Form Cases: Changed procedure for handling. See c. 247; U. S. Apost. Del., 20 Jan., 1967.

CANON 1102

Marriage: Mixed: rites may be permitted. See c. 1061, IV; AAS 58-235.

CANON 1108

Nuptial Blessing Can Be Given During Closed Time Without Permission From Local Ordinary (S. C. Rit., 24 Nov., 1965) Private.

Question: His Excellency, John G. M. Bluyssen, titular Bishop of Aeto and Vicar General of 's-Hcrtogenbosch, in the name of all the Ordinaries of Holland, proposed the following doubt to the Sacred Congregation of Rites for appropriate solution:

Whether in view of canon 1108, §§ 2 and 3 of the Code of Canon Law as well as numbers 70-75 of the instruction published

by the Sacred Congregation of Rites on 26 September, 1964/ the solemn nuptial blessing can be imparted during the closed time without permission of the local Ordinary?

Reply: The Sacred Congregation of Rites, after mature consideration, replied to the proposed doubt: *In the affirmative,* with due observance, however, of n. 75 of the said instruction.

(Private); S. C. Rit., 24 Nov., 1965; reported in *Notitiae, 2* (1966)–181.

CANON 1109

Permission for Mixed Marriage in Protestant Church Refused (S. C. Doct. Fid., 16 May, 1967) Private.

In your letter of 21 April of this year, Your Excellency requested the faculty to allow marriage to be contracted between a Catholic and a non-Catholic in the Catholic rite and before a Catholic priest but in a Protestant church.

In this regard I inform you that this Sacred Congregation does not grant the request in the terms proposed.

Care must be taken that the Catholic rite be performed in a Catholic church where the non-Catholic minister may be present and, after the celebration of the marriage, may express some congratulatory remarks to the parties and say some prayers for them.

(Private); S. C. Doct. Fid., 16 May, 1967, Prot. N. 1506/67; reported by the 1967 Committee on Research of the Canadian Canon Law Society.

Marriage: Mixed: dispensation from canonical form. See c. 1094; S. C. Doct. Fid., 5 Nov., 1966; 25 Apr., 1967.

Mixed; may be permitted in church. See c. 1061, IV; AAS 58-235.

CANON 1119

Nonconsummation Proved Notwithstanding Birth of Child From the Marriage (Rota, 29 Feb., 1960) Private.

Procedural Steps. The man in this case, after many futile attempts over several years to persuade his wife to consent to the marital act, obtained a separation and began a suit for

[1] Reported above, p. 75.

nullity in the Regional Tribunal on the ground of exclusion of the conjugal right or at least exclusion of children. While this case was pending he applied to the Sacred Congregation of the Sacraments for the faculty to institute proceedings for a dispensation from nonconsummated marriage. This petition was rejected at the outset by the Sacred Congregation because a child had actually been born of the marriage. Moreover the regional tribunal rendered a decision *non constare de nullitate*. On appeal to the Rota from this decision the issue of nonconsummation was added to those that had been considered in the lower court. But the decision of the Rota on the appeal, 3 March, 1955, was again negative on all the issues. The plaintiff then asked for a new trial, alleging new evidence (c. 1989); whereupon the *Ponens* (Mattioli) presented the case to the Rota under these two aspects:

1. Whether the new trial should be granted;

2. Whether the decision in the former Rota trial, 3 March, 1955, should be confirmed or reversed.

New Trial Granted. A special difficulty as regards reopening the case was the fact that the S. C. of the Sacraments had refused to consider it because a child had actually been born of the marriage. The Rota overcame this possible objection. The rejection of the case by the S. C. of the Sacraments because of the birth of a child could have no influence on the judicial practice of the Rota.

As to doctrine the Court cited Saint Thomas, Gasparri, and Wernz to the effect that where there is *not even the slightest* penetration the marriage must be regarded as nonconsummated, even though a child or children were born of it.

As to the practice of the Rota in similar cases, the following decisions were cited: for *impotence, coram* Prior, 29 May, 1916, confirmed *coram* Sebastianelli, 19 Nov., 1917; *coram* Grazioli, 5 Dec., 1941; *coram* W'ynen, 25 Oct., 1950. Similarly, *nonconsummation* was declared in decisions *coram* Grazioli, 17 Aug., 1920; coram Rossetti, 3 Aug., 1921; *coram* Filipiak, 11 Jan., 1952. Special attention was given to a decision of 5 April, 1937, *coram* Grazioli. In that case, as in the present one, the S. C. of the Sacraments had refused to consider it because a child had been born. The matter was referred to Pius XI, who committed it to the Rota for trial on the issue of *impotence*. The first decision, *coram* Jullien, 16 Nov., 1935, was *non constare*. After a

second futile recourse to the S. C. of the Sacraments, the case was referred to the Supreme Pontiff, who declared that it should be tried on appeal by the Rota, and that the question of *non-consummation* should also be considered. The decision was for nullity on the ground of impotence {*coram* Grazioli, R.D. vol. 29. decision 23, page 249); and this was confirmed on appeal, *coram* lanasik, 28 July, 1938.

There is, therefore, no question but that the new trial may be granted on the basis of new evidence; and the Rota so decided.

Nonconsunmiation Declared. The scrutiny of the evidence by the Rota in this case was very thorough; and also difficult because of contradictions in the woman's testimony. The following facts were proved to a moral certainty: the man had made repeated attempts for a long time to perform the marital act, but the woman had persistently refused. At no time had there been even the slightest penetration. On one occasion only there had been an emission in the region of the vagina, when the woman under the influence of wine had permitted it. Pregnancy had resulted and the child had been delivered through surgical intervention but died soon afterward. The physical examination of the woman was not made in the present trial, but there was convincing evidence that at the time of the pregnancy the hymen was found intact.

The decision was that the marriage *was certainly nonconsummated.* Although it was also clearly shown that the non-consummation was due to impotence on the part of the woman, the Court did not formally decide this point. The decision was given in the following terms:

"Sententiam Rotalem diei 3 martii 1955 esse sequenti modo reformandam: Non constare de matrimonii nullitate in casu; sed consilium praestandum esse Sanctissimo pro dispensatione elargienda super matrimonio rato et non consummato, vetito mulieri transitu ad alias nuptias inconsulto H.A.T."

From this decision the Defender of the bond appealed, but it was confirmed {*coram* Pasquali, date not given). Then, as to the *advisability of granting the dispensation,* the Supreme Pontiff ordered an inquiry by the Rota *coram* Sabattani. The decision was in favor of granting the dispensation. Whereupon it was done, with the final clause reported above.

(Private); Rota, 29 Feb., 1960; reported in *Monitor Ecclesiasticus,* 90 (1965)-39S–408.

Non-Consuinmation Cases With No Medical Evidence (S. C. Doct. Fid., *23* April, 1966; S. C. Sacr., *23 Mar.,* 1966; 5 May, 1966; 11 May, 1966) Private.

Following are four examples of non-consummation cases in which there was no medical evidence of virginity[1] and yet were given favorable decisions.

I

Widower and widow married and lived together a few months. Both parties testified to non-consummation and to no attempts at consummation. He was elderly and there were arguments early in the marriage. She obtained a civil annulment in which non-consummation was mentioned. There was little supporting testimony from witnesses. One witness heard from his first wife, prior to her death, that there had been no sexuai relations for some time in that marriage because of his declining potency. There was good character testimony.

(Private); S. C. Doct. Fid., *23* April, 1966, Prot. No. 2936/60.

II

Young soldier married a 16-year-old girl because she was pregnant. They lived together about two weeks in a motel near his camp. It was toward the end of her pregnancy. He went overseas and the marriage broke up. Both parties testified to non-consummation and to no real attempts at consummation. There was little supporting testimony from witnesses. A very important detail was that the girl at first testified to consummation because of bitterness toward the soldier but when the final oath was asked, she broke down and said she lied and could not go through with the lie.

(Private); S. C. Sacr., 23 Mar., 1966, Prot. No. 2175/61.

III

No medical proof was had because the woman had been violated in her youth. She testified to the husband's inability to have relations and to non-consummation. The husband, a simple and strange person, denied this and twice testified to consummation. There was supporting testimony from his second

[1] Cf. Canon Law Digest, 1, p. 786, n. 86; 2, pp. 549-551, I.

wife who testified to the same behavior in his second marriage, and from a doctor whom the petitioner consulted about the sexual difficulty.

(Private); S. C. Sacr., 5 May, 1966, Prot. No. 102/65.

IV

A convert entered a marriage which was invalid because of defect of form. Two children were born. The husband's potency began to decline. The marriage was validated and they lived together about two months after the validation. Both parties testified to non-consummation after the validation and to one or two feeble attempts at consummation. There was supporting testimony from witnesses, such as the lawyer who handled the civil divorce, and the doctors whom the woman consulted about the sexual difficulty.

(Private); S. C. Sacr., 11 May, 1966, Prot. No. 100/65; summaries and data of all four cases kindly sent us by the V. Rev. Msgr. George A. Herdegen of the Chicago Tribunal.

Nonconsummation of Marriage: Cases involving contraceptive devices. See c. 1963; S. C. Sacr., 31 Aug., 1966.

CANON 1120

Questions Concerning *Pars Conventa* in Privilege-of-the-Faith Cases (Holy Office, 21 Feb., 1962) Private.

The following letter of questions was sent by the Cardinal Archbishop of Chicago on 26 January, 1962, to the Holy Office.

In the reply of the Holy Office of January 14, 1960 (S.O. 2036/59),[1] it was explained that the words "praevio baptismo" or "praevia conversione" in rescripts of Privilege of the Faith cases were to be understood as meaning that the baptism (or conversion) was required for liceity only. It was also stated that whenever a Petitioner who declines to become a Catholic seeks to marry or convalidate marriage with a Catholic, the Holy Office reserves to itself the faculty of dispensing from the impediment of Mixed Religion or Disparity of Cult.

Several questions now arise concerning the *pars conventa* who

[1] Reported in Canon Law Digest, 5, p. 535.

wishes to make use of such a rescript in cases either *in which the Petitioner now declines to become a Catholic* or in which there will be a delay, for some reason, in his baptism or conversion. In this event,

1. if the *pars conventa* has become a Catholic,

   a) may he, without further recourse to the Holy See, use the rescript to marry a Catholic or convalidate marriage with a Catholic?

   b) may the Ordinary, without further recourse to the Holy See, grant the necessary dispensation to permit the *pars conventa* to marry, or convalidate marriage with, a non-Catholic?

2. if the *pars conventa* has not and does not intend to become a Catholic, may the Ordinary, without further recourse to the Holy See, grant the necessary dispensation to permit the *pars conventa* to marry, or convalidate a marriage with, a Catholic?

Reply: Under date of 26 January, 1962, Your Eminence proposed several questions concerning the *pars conventa* in those cases of dissolution of marriage, in which the *pars oratrix* declines to become a Catholic or will be delayed in doing so.

It was asked: a) whether the *pars conventa,* now a catechumen or convert, may have the benefit of the pontifical favor without further recourse to the Holy See, in order to marry, or convalidate marriage with, a Catholic; also b) whether the Ordinary may without recurring to the Holy See grant the dispensation required for the marriage of such a convert with a non-Catholic; and finally c) whether the Ordinary may, without recourse, grant the dispensation for the marriage of the *pars conventa,* who does not intend to embrace the Faith, with a Catholic.

After careful consideration, this Supreme S. Congregation has decided to reply:

To a). The *pars conventa* who has become a Catholic may without further recourse to the Holy See avail himself of the pontifical favor in order to marry a Catholic.

To b) and c). Recourse must be made to the Holy Office in each case.

(Private); Holy Office, 21 Feb., 1962, Prot. N. 2036/59m; both originals in English; copies kindly sent us by the Chicago Chancery.

Invalid Use of Pauline Privilege; Sanation Granted (Holy Office, 23 Nov., 1963) **Private.**

Case. In 1943 Jeffery, non-baptized, married Bertha, non-baptized, before a Protestant minister. In 1945 this marriage was annulled by the Civil Court of New York.

On 4 June, 1946, Jeffery was baptized in the Catholic Church On 15 October, 1946, the Bishop of P., satisfied with the proof of non-baptism, granted Jeffery permission to use the Pauline Privilege in order to marry a Catholic girl. But Jeffery did not use the Pauline Privilege until 1 August, 1949.

In December of 1946 Bertha was baptized in the Methodist Church and on 21 December, 1946, she married Claudius, non-baptized. Bertha and Claudius were civilly divorced on 1 July, 1963, and Bertha now wishes to marry a Catholic man.

On 1 August, 1949, Jeffery married Susan, a Catholic girl, in the presence of a Catholic priest. Recent reports indicate that Jeffery and Susan are living together in harmony and have two children. Neither of them knows of the present investigation being made by the Diocese of P. The following *dubia* were submitted to the Holy Office on 10 October, 1963: 1) Was the use of the Pauline Privilege (on 1 August, 1949) rendered invalid by the baptism of Bertha (in December, 1946)? 2) If the answer to the first question is affirmative, may the marriage of Bertha and Claudius (21 December, 1946) be declared null and void on the grounds of ligamen, i.e., the previous bond of marriage between Jeffery and Bertha (1943)? 3) If the answers to the above questions are affirmative, the Holy See is requested to grant a sanation of the marriage between Jeffery and Susan (1 August, 1949).

Reply. On 23 November, 1963, the Holy Office replied in the affirmative to 1) and 2), and at the same time granted a sanation for the marriage of Jeffery and Susan.

(Private); Holy Office, 23 Nov., 1963, Prot. No. 407I/63M; reported by the 1964 Committee on Research of the Canon Law Society of America; protocol number kindly supplied by the Rev. Raymond F. Bergin.

CANON 1121

Dispensation by Local Ordinary. See c. 329; Paul VI, 30 Nov., 1963, n. 23.

CANON 1123

Question Regarding the Nature of Just Cause for Departing (S. C. Doct. Fid., 5 Oct., 1966) Private.

Votum Episcopi. Edward, unbaptized, and Margaret, also unbaptized, were married in the year 1940 and divorced in the year 195S. Edward was baptized in the Baptist Church in the year 1955 and, after his baptism, continued to live with his wife, who remains unbaptized. After the divorce, Edward was received into the Catholic Church and was conditionally baptized on 5 April, 1958.

The interpellations were presented to Margaret by certified mail with request for return receipt, but she refused to answer them. We presumed from this refusal that her replies are in the negative, and we would have authorized Edward's use of the Pauline privilege, but, in the course of the prenuptial examination case preparatory to his marriage with a Catholic lady, it was discovered that Edward had entered a civil marriage with Evelyn on 18 December, 1958, thus *objectively* giving Margaret justifiable cause for refusing to resume cohabitation with Edward.

Because the authors do not agree on the question whether the reason for the unbaptized party's *discessus* must be *subjectively* just,[1] and because we cannot ascertain whether Margaret even knew of Edward's attempted second marriage or considered it

I the Tribunal's summary of the case are cited the following two slutcnicnis to illustrate its reason for doubt regarding the necessity of *subjective* justness.

Pars baptizata tamen amittit ius suum, si post susceptum baptisma ansam praebeat parti infideli dissolutionis matrimonii, ex. gr. adulterio. Quod independens est, num altera pars causam istam *noverit* an non. Ex proprio enim delicto nemo commodum reportare debet. — Joseph Bank: *Cortnubia Canonica* (Roma: Herder, 1959), p. 549.

lustae causae, quae frequentius occurrere possunt, sunt duae quae sequuntur: *Prima:* si post receptum baptismum fidelis adulterium commisit: quo in casu sibi imputet si debet continentiam servare. — Petrus Card. Gaspard: *Tractatus Canonicus De Matrimonio* (Typis Polyglottis Vaticanis, 1932), n. 1152, c.

an adulterous union, we respectfully ask Your Eminence whether the Pauline privilege can be used by Edward, and, if not, whether His Holiness might dissolve the Edward-Margaret marriage in favor of the faith.

Reply: In the Curia of Peoria the process was drawn up to obtain the dissolution, in favor of the faith, of the marriage contracted between Edward, unbaptized, and Margaret, unbaptized.

After subjecting the acts to mature examination and having carried out all the requirements of the case, the question was proposed in this S. Congregation: Should recommendation be made to His Holiness for the dissolution, in favor of the faith, of the marriage referred to above so that the petitioner, already a convert to the faith, can licitly and validly enter into a new marriage before the Church with a Catholic party. Having discussed the case according to certain established rules, it decided to reply: *In the affirmative.*

His Holiness, Pope Paul VI, on 3 October, 1966, after having received a report on the entire matter, graciously deigned to grant the petition according to the above decision.

(Private); S. C. Doct. Fid., 5 Oct., 1966, Prot. No. 3196/65m; copies of the documents kindly sent us by the Rt. Rev. Msgr. C. J. Hettinger, *Officialis* of the Peoria Tribunal.

CANON 1127

Dissolution of the Natural Bond With No Conversion (Holy Office, 7 Feb., 1964) Private.

The following case is reported for the reasons advanced for requesting dissolution of the natural bond.

Case. Ralph, unbaptized, married Estelle, unbaptized, before a Jewish rabbi on 14 February, 1934. A civil divorce was obtained by mutual agreement in April of 1960. There is no doubt about the non-baptism of either petitioner or respondent.

After the petitioner separated from his wife, he began dating Beatrice, single and unbaptized. Beatrice became a convert to Catholicism and was baptized in April, 1960.

In May, 1962, the Holy Office was petitioned for a dissolution of the Ralph-Estelle marriage in order that the petitioner, who did not wish to become a Catholic, might be permitted to marry the interested Catholic party.

The Defender of the Bond rightly questioned the need for a dissolution of the bond since the petitioner had shown no definite eagerness to embrace the Catholic faith and the interested Catholic party seemed to be strong enough in her own religion that she would stop company-keeping with the petitioner should the Holy See deny the petitioner's request. The Delegate-Judge felt that there were some circumstances in this case which would warrant petitioning for a dissolution of the bond. First of all. the petitioner and the interested Catholic party were keeping company before the conversion of the interested party to Catholicism. Secondly, the interested party was 30 years old and a girl of exceptional intellectual acumen. The petitioner possessed the qualities that Beatrice desired in a husband and it was questionable whether she could, without considerable difficulty, find another man so endowed. Thirdly, the priest-instructor testified that the petitioner was interested and cooperative during the course of instructions and that he felt in time the petitioner might embrace the faith.

Reply. An affirmative decision was granted by the Holy Office on 7 February, 1964.

(Private); Holy Office, 7 Feb., 1964, Prot. No. 2645/1962/M; reported to us by the Rev. Peter M. Shannon of the Tribunal of the Archdiocese of Chicago. A study of the recent practice of the Holy See regarding dissolution of marriage between unbaptized persons without conversion is had in *The Jurist,* 25 (1965)-453-465 (Lcguerrier).

Dissolution of Marriage Between a Baptized Non-Cath· olio and a Doubtfully Baptized Non-Catholic (Holy Office, 7 Feb., 1964) Private.

Case. John, a baptized Baptist, married Esterlyn before a minister of the Church of God in Christ on 5 February, 1955. According to the testimony of Esterlyn and her mother, Esterlyn had been baptized twice: once in 1946 and once in 1955. Esterlyn testified that both baptisms took place in the Pentecostal religion.

A statement was obtained from the Presiding Bishop of the Pentecostal Assemblies of the World to the effect that their baptism is by immersion "in the name of the Lord Jesus Christ for the remission of sins." The Pentecostal minister who baptized the respondent in 1955, confirmed the statement from the Pre-

siding Bishop and noted that there is no invocation of the Trinity in the baptismal ceremony.

We were unable to determine the exact matter and form of the 1946 baptism. According to the respondent, a Reverend S. was the minister who baptized her in 1946. The respondent claimed that Reverend S. was a minister of the Pentecostal religion and the Presiding Bishop of the Pentecostal Assemblies wrote that "Many years ago there was a Pentecostal Minister named Reverend S."

The Delegate-Judge argued that "In view of the impossibility of locating Reverend S. and in the absence of proof to the contrary, we must presume that the 1946 baptism was done according to the method and form prescribed by the Pentecostal Assemblies, i.e., 'in the name of the Lord Jesus Christ for the remission of sins.' "

Reply. On 7 February, 1964, an affirmative decision was received from the Holy Office in the above case. The rescript from the Holy Office was a "dissolution of the bond," not a document of "liberty." The rescript also noted that the marriage in question was a marriage between "John, a baptized non-Catholic, and Esterlyn, doubtfully baptized."

(Private); Holy Office, 7 Feb., 1964, Prot. No. S.O. 4565/1962/M; reported to us by the Rev. Peter M. Shannon of the Tribunal of the Archdiocese of Chicago.

Note: For corrections to be made in this reply, see below p. 657, S. C. Doct. Fid., 12 Jan. 1967.

Guideline for Handling Fresno Cases (Holy Office, 6 Mar., 1964) Private.

The following information regarding the handling of the so-called Fresno cases[1] was supplied by an official in Rome.

We are now informed that in his regular audience on 6 March, 1964, the Cardinal Secretary of the Holy Office asked His Holiness for a guideline in the handling of these cases. The Holy Father saw fit to declare his mind on the handling of these cases and has given the directive that, in formulating their decisions, the Commission members and the Consultors of the Holy Office are to bear in mind not merely the *javor fidei,* as in the past, but likewise the spiritual good which can accrue to one

[1] Cf. Canon Law Digest, 3, pp. 485-487.

or other of the parties or to the children from a favorable decision. As you can see, this directive practically eliminates all distinction between these cases and the ordinary *javor fidei* cases.

(Private); Holy Office, 6 Mar., 1964. The above information was sent to the Matrimonial Tribunal of the Diocese of Santa Rosa and sent to us by the Rev. John J. Brinkle, *Officialis.*

Preparation of Fresno Case Requested by Holy Office (Holy Office, 25 May, 1964) Private.

Case. A Catholic man, after a dispensation had been granted from disparity of worship, contracted marriage with an unbaptized woman in 1942 in the presence of a priest. They decided to practice rhythm for a while. She kept delaying children against his wishes. After five and a half years he left her.

In 1951 he attempted marriage with a Catholic girl before a judge. Five children were born of the union. All were being raised Catholics.

In July of 1963, a parish priest contacted the chancery[1] about the matter. The petitioner was interviewed and the priest was informed that the Ordinary would not recommend a Fresno-type of privilege to the Holy Office.

The petitioner wrote to the Holy Office in March of 1964. His letter was returned to the Ordinary in April with a protocol number and with the request that the Ordinary supply the Holy Office with information about the case.

The Ordinary sent a letter explaining the matter and stating it was not his practice "to make a request for a dissolution in a union between a Catholic and an unbaptized person when there was no basis for questioning the validity of the marriage."

Reply. With regard to the marriage of N.B.-N.N. please prepare the process in favor of the faith and present the testimonies according to the instruction issued in 1934 by the Holy Office.

(Private); Holy Office. 25 May, 1964; reported by the 1964 Committee on Research of the Canon Law Society of America.

[1] The original of this document explicitly prohibits publication of the document.

Dissolution of Bond Granted Even Though No Immediate Marriage in View (Holy Office, 26 June, 1964) Private.

Case. Jeannine, a baptized Catholic, married Robert before a Catholic priest in Garches, France, on 29 September, 1945. Robert claimed at the time of the marriage that he had been baptized Lutheran in Kewanee, Illinois. He added that he could not obtain a baptismal certificate, since the church had burnt down. No affidavits were obtained prior to the marriage.

The one child born of the Jeannine-Robert marriage was not baptized until fourteen months old because Robert vigorously opposed any Catholic baptism. Jeannine finally separated from Robert because of his continued opposition to the Catholic religion.

In September, 1963, the Holy Father was asked to dissolve the bond of the Jeannine-Robert marriage in favor of the faith. Jeannine claimed that Robert's parents told her after the marriage that Robert had never been baptized. Robert himself refused to testify and his parents also refused to give formal testimony. However, the parents did sign a statement to the effect that Robert had never been baptized prior to his entrance into the Armed Forces. Robert's two cousins testified under oath that Robert had never been baptized.

Reply. Even though Jeannine was forty years of age at the time of her petition for a dissolution of the bond and even though she was not involved in a civil marriage or keeping company with anyone, the Holy Father saw fit to grant her petition in order that she might have the opportunity of entering a truly Christian marriage. The affirmative decision was granted by Pope Paul VI through the Holy Office on 26 June, 1964.

(Private); Holy Office, 26 June, 1964, Prot. No. 3606/1963/M; reported by the Rev. Peter Shannon of the Tribunal of the Archdiocese of Chicago.

Dissolution Involving Oriental Impediment of Disparity of Cult (S. C. Eccl. Or., 12 April, 1965) Private.

Case. Bonnie, unbaptized, married Howard, a non-Catholic, on 10 June, 1949. Howard was baptized in the Baptist Church when he was eleven years old. In the investigation whether Bonnie

might be able to present to the Holy Father a petition for the dissolution of her marriage in favor of the faith, it was learned that Howard, in the words of Galtier *(Le Mariage,* p. 133), is really a "Protestant of Oriental origin," who would therefore be subject to the impediment of disparity of worship.

Howard traces his Oriental origin back to his grandparents on his father's side. They were natives of the neighborhood of Beirut and belonged to the Syrian Dissident Church. Migrating to the State of Missouri where there was no church of his rite, Howard's grandfather became a member of the Presbyterian Church but, nevertheless, had Howard's father and the rest of his children baptized in the "Greek Orthodox" religion. For a short time Howard's father was entrusted to a Catholic orphanage by Howard's grandfather. Howard's father, however, practiced the Presbyterian religion from childhood.

On the basis that Howard H., if he were to become a Catholic, would be allowed to choose whether he would be a member of the Latin or of the Oriental Church (Michiels: *De Personis,* ed. 2, p. 339), it was felt that he is and was subject to Oriental law and that his marriage is invalid. There is hesitation, however, because of the distinction made by Coussa *(De Matrimonio,* n. 11; cf. Galtier: *op. cit.,* p. 279) in reference to apostates from an Oriental rite and because of the statement of Pospishil *(Interritual Canon Law Problems,* p. 104) that "children of Orientals may validly become Protestants if they were not baptized in an Oriental Community."

Reply. The case was submitted to the Holy Office through the Apostolic Delegate in November, 1961, and sent by the Holy Office to the Sacred Congregation for the Oriental Church. The Holy Father granted an Apostolic dispensation in favor of the faith on 12 April, 1965, upon the following recommendation of the said Sacred Congregation:

Since B., the petitioner, an unbaptized non-Catholic, has requested an apostolic dispensation "in favor of the faith" regarding the marriage she contracted in 1949 with H., a baptized non-Catholic belonging to the Syrian rite, and since all the documents of the canonical investigation have been submitted by His Excellency, the Ordinary of the Peoria Diocese, to this Sacred Congregation on the order of the Supreme Sacred Congregation of the Holy Office, to the doubt proposed: "Should

His Holiness be requested to grant an apostolic dispensation in favor of the faith in the case," this Sacred Congregation, after attentive and mature consideration of everything, has decided to reply: "In the affirmative."

(Private); S. C. Eccl. Or., 12 April, 1965, Prot. No. 31/62; reported in *The Jurist,* 25 (1965)-299-300.

Privilege-of-the-Faith Case Involving Two Baptized Jehovah Witnesses (S. C. Doct. Fid., 4 April, 1966) Private.

The following material is excerpted from an actual privilege-of-the-faith case. This material was submitted to the S. C. for the Doctrine of the Faith along with the usual testimony and documentation. Fictitious names are used in the case as presented here. The case was initiated 18 August, 1962.

Petition: I, John Smith, a catechumen, humbly petition Your Holiness for a dissolution of my marriage to Jane Andrews, a non-Catholic, so that I might be free to become a Catholic and to marry a Catholic widow with whom I am keeping company.

I was born of Protestant parents on October 24, 1902. I was never baptized in any religion at any time in my life prior to my marriage to Jane Andrews. Jane Andrews was born of parents who were active members of the Jehovah Witness sect, and she herself was baptized into the Jehovah Witnesses in the 1930's while she and I were still living together. I myself was also baptized during our marriage, but not until around 1950.

Jane and I were married on June 30, 1929. We entered the marriage freely and with mutual love. Five children were born of this marriage, and they are now all adults. We lived together approximately twenty-six years. We got along fairly well until six years ago. Then her mother moved in on us and caused all sorts of conflicts. I wanted to move to Minnesota to live, but Jane refused to move. Her fellow Jehovah Witnesses also maligned me. Jane insisted on the divorce and it was granted on June 4, 1957. To my knowledge, she has not remarried. I have no love for her, and would not consider reconciliation.

I have been keeping company with Eleanor P., a Catholic widow. It is my fond hope that I will be permitted to become a Catholic and to marry this woman in the eyes of the Church.

Animadversions of Defender of Bond. The Defender should but note that the resolution of this case will depend on the careful analysis of the ritual practice of the Jehovah Witnesses. If they baptize validly, the petition will have to be rejected.

Votum of the Delegated Judge. The Petitioner, John Smith, a non-Catholic, is seeking a dissolution of his marriage to Jane Andrews, also a non-Catholic, so that he might be free to become a Catholic and to marry a Catholic widow with whom he has been keeping company. The five children born of the Petitioner's marriage are all adults, and hence, beyond the influence of the Petitioner as regards their religious upbringing.

There is no possibility of reconciliation between the Petitioner and Defendant. Neither party wishes it, and the Petitioner is anxious to remarry.

It is clear from the testimony of the Petitioner and Defendant, as well as their witnesses, that neither the Petitioner nor Defendant were ever baptized in any religion whatever other than their so-called "baptism" in the Jehovah Witness sect. Both the Petitioner and Defendant were baptized as Jehovah Witnesses after their marriage and while they were still living together. The merits of this petition, therefore, depend entirely on the question of the validity or invalidity of baptism as practiced by the Jehovah Witnesses. For the reasons set down more in detail in subsequent pages, it is my conviction that this so-called baptism must be considered *invalid*. I believe, therefore, that the investigation has established beyond reasonable doubt the fact that neither the Petitioner nor the Defendant have ever been truly baptized and, hence, the dissolution of their marriage bond does fall within the power of the Holy Father.

The parish priest has assured the Court that there would be no danger of scandal or criticism of the Church in the event the Petitioner is permitted to remarry. He has also attested to the sincerity of the Petitioner's desire to become a Catholic.

Mindful, therefore, only of the salvation of souls, and realizing that reconciliation is out of the question, I humbly recommend that the Holy Father be asked to dissolve the Smith-Andrews marriage *in favorem fidei*.

Search of Churches Concerning the Defendant's Baptismal Status. According to the Defendant and her witnesses,

the only churches she ever attended were Jehovah Witness churches. These churches often were not at all churches as we know them, but rather meetings held in private homes. On the other hand, when a building was available, it was customary for the edifice to be called Kingdom Hall.

z\ccording to the Defendant and her witnesses, she attended Jehovah Witness services at Poplar Bluff, Missouri; Benton Harbor, Michigan; Elgin, Illinois; and Chicago, Illinois.

Efforts were made to contact each of these churches, and the results were as follows:

1. The Jehovah Witnesses in Benton Harbor replied as follows: "Your letter addressed to the Kingdom Hall in Benton Harbor has come into my hands for reply. The records of our Congregation show that Jane Andrews symbolized her dedication to Jehovah by water baptism on December 10, 1934, and has faithfully carried out her dedication to the present time."

2. The Jehovah Witness Church in Poplar Bluff, Missouri, refused to acknowledge my letter.

3. The Jehovah Witness Church in Elgin, Illinois, could not be located. The Post Office indicated that it must have gone out of existence.

4. The Jehovah Witness Church in Chicago, Illinois, on Diversey Avenue, refused to reply to my letter. This is the church which the Petitioner stated arranged his own baptism in the 1950's. I asked that they check for both the Petitioner and Defendant, and also enlighten me as to the procedure in their baptism. I received no response whatever. [Signed by Delegated Judge.]

Memo Concerning the Beliefs of the Jehovah Witnesses: The following excerpts are taken from various publications regarding the beliefs of the Jehovah Witnesses:

1. *Faiths for the Few* by William J. Whalen (Milwaukee: Bruce, 1963):

"Man is not immortal nor does he possess a soul" (p. 79).

"Jehovah's Witnesses are fundamentalist Unitarians. They constantly ridicule the doctrine of the Trinity and flatly deny the divinity of Christ. References in Scripture to the Holy Spirit are taken to mean the *power* of Jehovah. They believe that Jehovah-God created a Spirit-Son Christ Jesus, Who, before becoming Man, was also known as Michael the Archangel. This

Spirit-Son. not God, but more like a favorite angel, took on human flesh as a perfect man and died as a ransom for mankind, which had fallen in Adam and incurred the penalty of death. After His death on a torture stake, Christ was raised to a new spirit existence by Jehovah. Together with 144,000 selected men who merited heaven, Christ Jesus will govern the earth from His heavenly throne as a sort of Executive Director under Jehovah" (P- 82).

2. *The Protestant Churches oj America* by John A. Hardon, S.J. (Westminster, Md.: Newman Press, 1957): "The Trinity and Divinity of Christ are explicitly denied as 'the Devil's doctrine, fraudulently imposed upon men to destroy their faith in Jehovah.' To admit Christ's divinity, Rutherford argued, would be inconsistent with the concept of a theocracy which requires that men obey only God, and never a human being. The Holy Spirit is denied to be either God or even a personality" (p. 299).

3. "These Jehovah's Witnesses" an article by Albert Muller in *America,* 105 (June 24, 1961), 465: "Witnesses deny the divinity of Christ, the Holy Spirit as a Person, the existence of a spiritual soul and of hell."

4. *Let God Be True* (Brooklyn, N. Y.: Watchtower Bible and Tract Society, Inc., 1952), rev. ed.: "The Trinity doctrine was not conceived by Jesus or the early Christians. Nowhere in the Scriptures is even any mention made of a Trinity — therefore, if, as claimed, it is the central doctrine of the Christian religion, it is passing strange that this complicated, confusing doctrine received no attention by Christ Jesus, by way of explanation or teaching . . . the plain truth is that this is another of Satan's attempts to keep God-fearing persons from learning the truth of Jehovah and his Son, Christ Jesus. No, there is no Trinity" (P- in).

5. *A letter from the Tribunal of the Diocese of Crookston to the Tribunal of the Archdiocese of Chicago:* I wish to acknowl- your letter of September 25, concerning the validity of baptisms conferred by the Jehovah Witnesses.

I have just received a statement obtained from the minister of the Witnesses in Spokane, Washington. He deposes that their baptism is a symbol of dedication. The ceremony is preceded by a discourse.

When the person to be baptized goes into the water, the per-

son's name is not called out. No words or formula are pronounced while the person is submerged or immersed in the water.

Summary by the Delegated Judge Concerning the Validity of Baptism in the Jehovah's Witness Sect: The only baptisms undegone by the petitioner and defendant took place after their marriage and in the Jehovah's Witness sect. Unfortunately, due to the lack of cooperation on the part of the Jehovah's Witness organization, it has been impossible to obtain an authentic and *official* description of the rite which they call baptism. However, on the basis of their own theological beliefs, I would judge that baptisms performed in that sect must be considered invalid.

A baptism can be invalid by reason of defective matter, form, or intention on the part of the minister. In this case, obviously the *matter* is valid, since the person to be baptized is always fully immersed in water.

As regards the *jorm* of baptism, it is not clear to me if any form at all is used. In the letter quoted from the Tribunal of the Diocese of Crookston, the official of the Jehovah's Witness organization stated that no words whatever are said at the time the person is immersed. Whether or not this is true in every case, we cannot say, but if it is, then, of course, the so-called baptism would certainly be invalid. If any formula is used, it is not clear that it agrees substantially, at least, with the Trinitarian formula required for validity.

But let us assume, for the sake of argument, that the minister performing the baptism does use the identical formula as the Catholic Church: "I baptize you in the name of the Father and of the Son and of the Holy Ghost." Would such a baptism be valid? I would answer in the negative, and my reason would be the lack of the third requisite for a valid baptism, namely, the proper intention on the part of the minister.

Cappello[1] states the requirement as follows: "In ministro requiritur intentio seu voluntas faciendi quod facit ecclesia. Quod, ulterius, requiratur intentio seu voluntas faciendi quod facit ecclesia, liquet ex natura potestatis ministerialis. Sane nonnisi ut minister Christi ex communicata potestate ministerial! potest quis actiones formaliter sacramentales ponere et per eas hominibus gratiam conferre; cum vero minister, ut minister alterius, agere

'*De Sacramentis* (Turin: Marietti, 1953), cd. 6, vol. 1, pp. 35-36.

non possit, nisi habeat intentionem nomine et in persona illius agendi, sequitur, non posse ministrum actiones formaliter sacramentales edere, nisi habeat intentionem illas nomine et in persona Christi ponendi seu, quod idem est, faciendi quod facit ecclesia."

It is evident that, in the case of baptism, it is not necessary for the minister to believe in it himself, nor does he have to admit that baptism is a sacrament, or that it confers grace, or that it takes away sin. Neither does the minister of baptism have to believe in the divinity of Christ or in the Holy Trinity. A good Jew, for instance, can certainly baptize a person validly, as long as he sincerely intends to do what Christ and His Church wish to be done.

Now, in the case of the Jehovah's Witnesses, the minister of baptism intends to baptize this person *into the Jehovah's Witnesses Sect,* and even if he were to pronounce the Trinitarian formula, he certainly does not intend, as the Church does, that this person be baptized in the name of the Father and of the Son and of the Holy Ghost in the sense that this person is being baptized in the name of the Trinity, or three distinct Persons in one God. The Jehovah's Witnesses deny that Christ is God. They also deny the existence of any such *Person* as the Holy Spirit. When they use the words, they are simply referring to a power of some sort exerted by Jehovah, who alone is God.2

I can readily admit that a Jehovah's Witness could validly baptize the dying child of, for instance. Catholic parents, if he sincerely wished to do what he knew the parents would want done, and hence, performed the baptism properly regardless of his own beliefs. But when a Jehovah's Witness is baptizing another person into their own sect, I am quite sure that he would have no intention whatever of baptizing this person in the name of the Holy Trinity as three distinct and divine Persons in the one God. Hence, I cannot see how such a person administering baptism can be said to be doing it with the intention of "faciendi quod facit Ecclesia." I would judge, therefore, that baptisms as performed in the Jehovah's Witness Sect are invalid for lack of proper intention.

-*Make Sure Of All Things* — a book of fundamental doctrines published by the Watchtower Bible and Tract Society in 1953, the outlet for all Jehovah's Witness publications. Cf. pp. 207 and 386.

Decision: Tn the Chicago Curia was drawn up the process to obtain a dissolution, in favor of the faith, of the marriage contracted between John Smith, who is alleged to have been invalidly baptized, and Jane Andrews, unbaptized.

After subjecting the acts to mature examination and after fulfilling all the requirements in the case, the question was proposed in this S. Congregation: "Should recommendation be made to His Holiness for dissolution, in favor of the faith, of the aforementioned marriage so that the petitioner, after having been baptized, may validly and licitly enter a new marriage before the Church with a Catholic." After having discussed the matter according to certain established rules, it decided to reply: *In the affirmative.*

His Holiness, Pope Paul VI, on 1 April, 1966, after having received a report on the whole case, graciously deigned to agree to the favor according to the aforesaid decision.

In the present concession is also included, insofar as it may be necessary, a dispensation from the impediment of crime mentioned in can. 1075, n. 1.

(Private); S. C. Doct. Fid., 4 April, 1966, Prot. No. 3008/1964/m; copy of documents kindly sent us by the Rev. Raymond Goedert, *Actuarius* of the Chicago Tribunal.

Correction of Reply (S. C. Doct. Fid., 12 Jan., 1967) Private.

The following reply came as a result of somebody's private inquiry regarding the case reported above in this volume, Holy Office, 7 Feb., 1964.[1] The case was also published in *The Jurist,* 25 (1965)–294–295.

There has arrived at this S. Congregation a memorandum together with a photocopy of the rescript regarding the marriage case of John-Esterlyn which resulted in the grant of dissolution, in favor of the faith, between a baptized non-Catholic party and a doubtfully baptized party. It was granted inasmuch as that, even though it was stated that the defendant, Esterlyn, was twice baptized in the sect, doubt was had regarding the validity of both baptisms.

After attentive examination of the acts of the case, this S. Congregation can really affirm that the baptisms received by the defendant were invalid because they were administered not with

1 See above, p. 646.

the Trinitarian formula but "in the name of Jesus for the remission of sins;" consequently, the party must be considered as not baptized.

In the execution of the rescript, a mistake was made by the secretary who should not have written "doubtfully baptized," but "not baptized."

Inasfar as the publicity given this reply is concerned, Your Reverence will please spell out the points in question to the students at the school and send a copy of the present letter to the editor of the journal, *Jurist.*

(Private); S. C. Doct. Fid., 12 Jan., 1067, Prot. N. 4565/62; reported in *The Jurist,* 28 (1968)-106.

Invalid Dissolution of Marriage in Favor of the Faith: Parties to be Left in Good Faith (S. C. Doct. Fid., 14 July, 1967) Private.

Case: The Petitioner, a baptized non-Catholic, is seeking a dissolution of his marriage to the defendant, formerly doubtfully baptized, now a baptized Catholic, so that he might be free to become a Catholic and to rectify his present civil marriage with a Catholic in the eyes of the Church. Concerning the baptismal status of the defendant, she states that she was baptized in the Baptist Church in 1938. When questioned about her baptismal intent, she makes some statements that cast doubt on the validity of this baptism. She states that she was not instructed in the nature of baptism. She did not believe that baptism remitted sin. She looked upon the baptism merely as a ceremony of initiation into the Church. The minister of the Church where the defendant was baptized states that in his belief baptism does not give grace but may give it accidentally. Baptism is symbolic of a person's faith. Original sin is not explicitly included in the purpose of baptism. The petitioner may well have had an intention excluding permanence from his marriage to the defendant. His parents had been divorced. He believed in divorce. He believed a person who obtained a divorce had a right to remarrv. He believed that when he married the defendant if the marriage did not prove happy, he had a right to obtain a civil divorce and remarry. The petitioner gave his testimony concerning his intent in regard to permanence *tempore non*

suspecto, i.e., when the marriage was being attacked by his first wife.

As is noted, the Diocese of N., on 19 April, 1952, granted the woman (then acting as petitioner) the permission to enter a valid marriage with a Catholic. It said it did this in virtue of c. 1127, *in favorem fidei.* We have included all the material obtained from the Diocese of N. in this case. It is to be noted that the *Officialis* of the Diocese of N. states this case originally received its favorable decision because the late Bishop of N. subscribed to the theories of Father Donovan. Apparently the opinion of Father Donovan referred to the doubt of validity of Baptist baptism and also, apparently, to the ability of the Diocesan Tribunal to apply c. 1127 to such a case.

Admittedly the action of the Diocese of N. seems unusual. Moreover, even the condition stipulated by the Diocese of N. that the woman enter a valid marriage with a Catholic, has not been verified. However, in view of the unusual circumstance that the Diocese of N. did give permission for the remarriage, this case is being sent to the Congregation for the Doctrine of the Faith for its better judgment in this matter.

Reply: This S. Congregation has duly received the procedural acts in a suit for dissolution of the marriage contracted between a Lutheran man and a doubtfully baptized woman who later received baptism in the Catholic Church in 1952.

The Diocese of N. where the process was initiated, believing that the baptism received by the woman in her sect was invalid, granted the favor of dissolution of the marriage in favor of the faith so that the woman could enter another marriage with a Catholic man.

It is evident that the Ordinary of N. was mistaken in his action and, consequently, the concession of dissolution of the marriage was invalid either because a doubtful baptism must be held as valid until the contrary is proved — in the instance proof is lacking — or because only the Supreme Pontiff, using his vicarious power, can grant a dissolution of marriage in favor of the faith.

Since the petitioner and his pseudo-spouse still know nothing of the invalid dissolution of the previous marriage of the petitioner, this S. Congregation has decreed: "The parties must be left in good faith. As a result, they should be told that, in the

instance, there is no need to celebrate the second rite demanded of them."

(Private); S. C. Doct. Fid., 14 July, 1967; summary of case and copy of reply kindly sent us by the Rev. Edward N. Surges of the Tribunal of the Archdiocese of Chicago.

Abbreviated Procedure *for* Cases of Dissolution of Marriage *In Favorem Fidei.* See c 1962; S. C. Doct. Fid., 24 Sept., 1966; U. S. Apost. Del., 10 Oct., 1966.

Dissolution of Marriage in Favor of the Faith: suggested by the Holy Office in case involving lack of moral certainty regarding validity of dispensation from the impediment of disparity of worship. Sec c. 1990; Holy Office, 3 July, 1961.

In another case an unbaptized man requested permission to stand in judgment as a non-Catholic plaintiff, attacking his first marriage with a baptized Protestant woman on the grounds of a prenuptial pact to exclude from each other all right to children. The man was well disposed but did not wish to become a Catholic although he desired to marry a Catholic girl. The Holy Office noted the difficulty in proving the nullity of marriage on that ground and suggested processing the case on a petition for dissolution in favor of the faith. (Private) ; Holy Office, 24 Mar., 1965, Prot. No. 727/65M; kindly reported to us by the V. Rev. Msgr. Charles P. Koster, Secretary of the Indianapolis Tribunal.

Questions Concerning *Pars Conventa* in Privilege-of-the-Faith Cases. See c. 1120; Holy Office, 21 Feb.. 1962.

CANON 1133

Applicability of This Canon to Convalidations Involving Baptized Non-Catholics (Holy Office, 4 June, 1965; 19 July, 1965) Private.

The Diocese of Peoria (Ill.) presented two cases to the Holy Office into which the question of the applicability of canons 1133 and 1134 entered. The two cases were resolved in different ways although they were separated in time by only six weeks.

I

Case. A. K., a baptized non-Catholic girl under the age of fourteen, married A. H., an unbaptized man. They continued to cohabit after she attained the minimum canonical age for marriage. Later the marriage broke up. The case came to the Peoria

Tribunal when one of the parties wished to become a Catholic and to marry a Catholic. The basic question was whether the original marriage of A. K. with A. H. needed convalidation through renewal of matrimonial consent after the impediment of nonage ceased, or whether the marriage was automatically convalidated without renewal of matrimonial consent. If the first alternative is true, a simple declaration of nullity is in place; if the second alternative is true, then a dissolution of the natural bond in favor of the faith was requested.

Reply. The Holy Office "decided to recommend to His Holiness that a document of freedom be granted so that the petitioner, after baptism, could licitly and validly enter a new marriage before the Church with a Catholic party." The document of freedom was granted as recommended and included, inasfar as it was necessary, a dispensation from the impediment of crime mentioned in can. 1075, 1°.

(Private) ; Holy Office, 4 June, 1965, Prot. No. 1025/1964/M.

Note: From the action taken in this case, it seems that the Holy Office believed a doubt of law existed about the applicability of canon 1133 in the instance. Hence it neither declared the marriage null nor recommended that the Holy Father grant a dissolution in favor of the faith but simply recommended that he issue a document of freedom.

II

Case. An unbaptized woman, A. A., contracted marriage with a baptized non-Catholic man, B. B. The marriage terminated in divorce and the man remarried, this time a baptized non-Catholic woman, C. C. During his second marriage, his first wife. A. A., won a papal dissolution of her marriage with B. B. After this dissolution, B. B., continued to cohabit with his second wife. C. C. The question before the Peoria Tribunal is, again, whether the marriage of B. B. and C. C. needed renewal of matrimonial consent to be convalidated or whether it was automatically convalidated by continued cohabitation as man and wife.

This case of two baptized non-Catholics and the previous case of a marriage involving one baptized non-Catholic and an unbaptized person led to the Bishop of Peoria presenting the following inquiry which was sent to Rome before receipt of the above reply to the first case.

Question. "On behalf of our Tribunal, which is currently processing two cases of non-Catholics, in which the parties continued to cohabit after the impediment of nonage ceased to exist, we respectfully ask whether, contrary to the opinion of Cappello and others, canon 1134 applies to the cases in which both parties are baptized non-Catholics; we also ask whether canon 1134 applies to cases in which one party is a baptized non-Catholic."

Reply. In your letter of 2 April of this year, Your Excellency proposed the following doubt: In order to convalidate a marriage which is invalid because of defect of age, is it necessary' that a new act of consent be placed after the diriment impediment has ceased.

This Supreme S. C. has decided to answer the proposed doubt: *In the affirmative* according to the norm of can. 1133 of the Code of Canon Law.

(Private); Holy Office, 19 July, 1965, Prot. No. 903/59. Background and copies of the original replies in both cases were kindly sent us by the Rt. Rev. Msgr. C. J. Hettinger, *Officialis* of the Peoria Tribunal.

Note: Cappello's opinion was published in a short article in *lus Pontificium,* 20 (1940)–25–27 with the precise point at issue occurring on p. 26, n. 4. For a criticism of Cappello's opinion, see *Theological Studies,* 3 (1942)–1S9–202 (W. Donnelly). For cases involving marriage between one unbaptized party and another party *doubtfully* baptized, see Gasparri: *De Matrimonio,* n. 1193; Cappello: *De Matrimonio,* ed. 6 or 7, n. S44.4; Coronata: *De Sacramentis,* v. 3, n. 675. For various aspects of convalidation of marriages of non-Catholics, sec D. Lazzarato: *Jurisprudentia Pontificia,* vol. 2, pars 3, Index principiorum argumentorumque, *sub v.* Acatholici, n. 8: Quoad revalidationem matrimonii.

CANON 1134

Applicability of This Canon to Convalidations Involving Baptized Non-Catholics. See c. 1133; Holy Office, 4 June, 1965; 19 July, 1965.

CANON 1137

Simple Convalidation Indicated for Marriage Involving Impotency Surgically Produced (S. C. Doc. Fid., 14 Dec., 1966) Private.

Case: On 20 January, 1966, the Sacred Congregation of the Sacraments granted a decree of nullity for the marriage of Catherine with Fred on the grounds of nonage on the part of Catherine (Prot. N. 544/65 Vg.).

Catherine was the petitioner in this case. Her intention in seeking the annulment of her marriage was to be able to validate her present union with John, a baptized Presbyterian.

Catherine had attempted marriage with John on 15 July, 1944. It appears that John became permanently impotent subsequent to the attempted marriage. Catherine alleges that they had been living as brother and sister for the past fifteen years.

May a *sanatio-in-radice* be granted, since John was not impotent at the time of the attempted marriage?

I am inclosing copies of the medical reports which we have on file together with the customary promises for mixed marriage and a petition for dispensation from the impediment of mixed religion.

Reply: In your letter of 7 July of this year, Your Excellency inquires whether a radical sanation or convalidation can be applied to the marriage contracted between Catherine, Catholic, and John, non-Catholic, who was rendered impotent by a surgical operation.

In this matter, I inform you that the Eminent Fathers of this S. Congregation, in the plenary session of 7 December, 1966, passed this decision: "Since there is no certain proof of the man's impotency, the Ordinary, in accord with can. 1068, § 2, can permit the petitioners to convalidate their marriage according to the norm of can. 1137 after a dispensation has been granted from the impediment of mixed religion and, *ad cautelam,* disparity of cult."

(Private); S. C. Doct. Fid., 14 Dec., 1966, Prot. No. 2462/66; copies of both documents kindly sent us by the V. Rev. Msgr. Albert C. Allen, *Vice-Officialis* of the Detroit Tribunal.

CANON 1138

Without Knowledge of Parties Concerned, Marriage Sanated in Case of Original Lack of Jurisdiction (Holy Office, 17 Nov., 1962) Private.

The following was first sent to the U. S. Apostolic Delegate who, in turn, forwarded it to the Holy Office.

Case: On 29 July, 1961, John Doe, a non-Catholic baptized in the Baptist sect, entered marriage with Mary Smith, a Catholic, before a Latin-rite priest with a dispensation from *mixtae religionis et ad cautelam disparitatis cultus.*

Recently, her mother's marriage was brought to the attention of this office, at which time it was discovered that Mary canonically is a member of the Byzantine-Slavonic Rite, since both her father and mother belonged to this Rite. Mary was baptized in a Latin-rite church and because the spelling of her name was changed, it was not discovered until now that she is a member of the Byzantine-Slavonic Rite.

It is evident that the dispensation granted for the marriage between John Doe and Mary Smith was invalid, since it was granted by the Latin-rite Ordinary. However, since John was a baptized non-Catholic, this would not make the marriage invalid. There is the additional question that the marriage might be invalid due to lack of jurisdiction on the part of the Latin-rite priest. In spite of this, the marriage would be valid if canon 209 (152, *Cleri sanctitati)* would apply in this case.

In the light of the above, can we consider this a valid marriage? If not, would it be possible to obtain a *sanatio in radice?*

Petition: The Ordinary humbly requests from Your Holiness a radical sanation of the marriage invalidly contracted by Mary Smith, Catholic, with John Doe, non-Catholic.

The following reasons are set forth: the good faith of the parties; the impossibility of notifying the parties.

Reply: From the Holy Office, His Holiness, Pope John XXIII, through special faculties granted to the S. C. of the Holy Office and in view of the particular circumstances of the case, graciously remands the petition to the prudent judgment and conscience of the Reverend Ordinary who, provided the consent of each party still continues, can, without the knowledge of the parties, radically sanate the marriage invalidly contracted by Mary, Catholic, with John, non-Catholic.

Private); Holy Office, 17 Nov., 1962, Prot. N. 4091/62m; copy sent us by the Rev. Albert C. Allen, *Vice-Ofacialis* of the Archdiocese of Detroit.

Radical Sanation Granted in Case of Invalid Use of Pauline Privilege. See c. 1120; Holy Office, 23 Nov., 1963. iurr·

CANON 1139

Marriage Cannot Be Radically Sanated When Impotence Supervenes. In an article by J. Graneris *{Apollinaris,* 35 [1962]–285–290) discussing various viewpoints regarding a rescript of the Holy Office in 1848 radically sanating a marriage which was invalid because of defect of form and in which the man subsequently became impotent, there is reported (p. 290) another reply of the Holy Office, given in May, 1963, for the same kind of case. "In the instance, a radical sanation cannot be granted."

Note: For a contrary reply by the Holy Office in the same kind of case, see Canon Law Digest, 5, pp. 549-551.

CANON 1141

Local Ordinary Can Grant Radical Sanation. See c. 329; Paul VI, 30 Nov.. 1963, nn. 21, 22; U. S. Apost. Del., 9 Jan., 1964.

Marriage: Sanation reserved to Holy See in only three classes of cases. See c. 329, IX, IS, *a, b, c;* AAS 58-369.

CANON 1147

Deputation to Consecrate. See c. 529; Paul VI, 30 Nov., 1963, n. 27.

CANON 1154

Shrine: Definition of (S. C. Sem. et Univ., 22 Dec., 1955) Private.

Since the Code of Canon Law has no definition of *shrine,* the S. C. of Seminaries and Universities formulated the following definition and submitted it to Pope Pius XII who approved it.

A shrine is a church or sacred edifice dedicated to the public exercise of divine worship, which, by reason of particular devotion, is made by the faithful the center of pilgrimages for the purpose of obtaining graces or fulfilling vows.

(Private); S. C. Sem. et Univ., 22 Dec., 1955; reported in *The Priest,* 20 (1964)–1082.

CANON 1171

Mass: Concélébration; in churches of religious, permission of the local Ordinary is not necessary. The Major Superior gives the permission. See c. 2; S. C. Rit., 12 Jan., 1966, II.

CANON 1184

Fabric of St. Peter's. Sec c. 242; Paul VI, Ap. Const., 15 Aug., 1967, n. 132.

CANON 1199

Altar: Facing the people. See c. 822; S. C. Rit., 16 July, 1965.

CANON 1203

Cremation, Not Absolutely Forbidden (Holy Office, Instruction, 8 May, 1963) AAS 56-822.

The constant pious practice among Christians, of burying the bodies of the faithful departed, has always been the object of solicitude on the part of the Church, shown both by providing it with appropriate rites to express clearly the symbolic and religious significance of burial, and by establishing penalties against those who attacked this salutary practice. The Church has so acted especially when the opposition to burial sprang from motives hostile to Christian practice and ecclesiastical traditions on the part of those who, in a sectarian spirit, were trying to establish cremation in the place of burial as a sign of violent denial of Christian dogmas, especially those of the resurrection of the dead and the immortality of the soul.

It is clear that this purpose was something subjective in the minds of the persons who favored cremation, and not anything pertaining objectively to cremation itself; for the incineration of the body, since it neither affects the soul nor prevents the omnipotence of God from restoring the body, does not import the objective denial of those dogmas.

Hence there is no question of something intrinsically wrong or necessarily offensive to the Christian religion; and this has always been recognized by the Church, which never opposed

nor now opposes cremation under certain circumstances, that is, whenever it is certain that it is done through innocent motives and for grave reasons, especially of a public order.

In our times this mental attitude has changed for the better, and the circumstances unfavorable to burial are more frequent and more evident; consequently many petitions are being presented to the Holy See asking for some mitigation of ecclesiastical discipline regarding cremation, which in these days is often advocated, not out of enmity toward the Church or Christian morals but only for hygienic or economic reasons, or others of a public or private nature.

Holy Mother Church, directly interested as she is in the good of the faithful, yet not blind to other necessities, considers that these requests should be favorably received, by decreeing the following regulations:

1. The practice of burying the bodies of the faithful is by all means to be kept; hence Ordinaries should, by appropriate instructions and exhortations, see to it that Catholics do not practice cremation and that, except in cases of necessity, they do not abandon the practice of burial, which the Church has always kept and which she consecrates with solemn rites.

2. However, lest difficulties arising from present circumstances be unduly increased, and lest the necessity of dispensing from existing laws in this matter become more frequent, it has been wisely determined to mitigate somewhat the prescriptions of canon law concerning cremation, so that the provisions of canon 1203 §2 (not to carry out a mandate of cremation) and those of canon 1240 §1,5° (denying ecclesiastical burial to persons who ordered that their bodies be cremated) be henceforth binding, not universally, but only when it is certain that cremation was chosen because of the denial of Christian dogmas, or because of a sectarian spirit, or through hatred of the Catholic religion and the Church.

3. It follows that persons who chose to have their bodies cremated are not for that reason to be denied the sacraments or public suffrages, unless it is certain that they made that choice for the above-mentioned reasons inimical to the Christian way of life.

4. But lest the pious attachment of the faithful to ecclesiastical tradition be weakened, and in order to show clearly the

opposition of the Church to cremation, the ceremonies of ecclesiastical burial and the prayers which follow them must never be performed in the very place where the cremation is done, not even by way of simply accompanying the transfer of the remains.

This Instruction, which was presented in final form by the Eminent Fathers in charge oj safeguarding jaith and morals al the plenary session oj 8 May, 1963, was graciously approved by His Holiness Paul VI in the Audience granted to the Eminent Secretary oj the Holy Office on the 5th oj July oj the same year.

AAS 56-822; Holy Office, Instruction, 8 May, 1063. Annotations, *Periodica,* 54 (1965)-169-172 (Zalba); *American Ecclesiastical Review,* 153 (1965)–30–38 (Russell); *Jurist, 26 (1966)-204-213* (McDonald).

Cremation of Amputated Members and Aborted Fetuses (S. C. Doct. Fid., 7 Mar., 1967) Private.

The following letter was addressed directly to the Vatican by a Protestant chaplain of a Protestant-oriented hospital. The reply was sent to the Ordinary of the territory in which the said hospital was located.

Case: In the hope that Evangelical Deaconess Hospital, as a Protestant-oriented institution, can act with more certainty in matters of moral-medical ethics in behalf of the Roman Catholic patients to whom we minister, I am taking the privilege of requesting of your good office a clarification of the rules of conduct relating to the following areas.

1. Analysis of accumulated traditions and interpretations by Roman Catholic theologians has given rise to directives that guide decisions in relation to the disposal of amputated notable parts of the human body. None seem to be founded on absolute moral standards.

Is it wrong for a Roman Catholic to electively choose to have a notable amputated part cremated if there are no special attenuating circumstances making this medically or socially necessary?

2. In the United States where the law requires that a fetus over eighteen weeks gestation be registered with the Bureau of Vital Statistics, and permission granted for disposal of the remains, it is the custom that such fetuses be buried. For fetuses under eighteen weeks and especially those of only a few weeks gestation, the custom and law in this country allows the individual hospital to arrange for disposal with or without directive of the parents. Except in Roman Catholic hospitals, burial is seldom the method of disposal, and these fetuses, many of whom are baptized, are cremated along with other tissue specimens. Is this practice fundamentally morally wrong?

Your judgment in these matters will be most deeply appreciated.

Reply: In a letter dated 16 November, 1966. the Reverend N.N., the chaplain of Evangelical Deaconess Hospital in the city of X., proposed to this Sacred Congregation two questions for which he sought a solution.

a) Whether it is licit for Catholics, of their own free will, to order that their own amputated members or those of others, as well as notable sections that are cut out [of the human body] be cremated, even apart from circumstances surrounding the case in which cremation would be imposed by medical or social reasons.

b) Fetuses which have not completed 17 weeks of gestation — many of which are baptized — and notable parts of the human body are rarely buried but are usually cremated.

Is this practice intrinsically to be reprobated according to the fundamental principles of morality?

I inform you that the Fathers of this Sacred Congregation examined the questions proposed and. in the plenary session on Wednesday, the 1st of March of this year, decreed:

"If there is a reasonable cause present which does not permit the burial of a fetus or member of the human body, there is no objection on the part of the Sacred Congregation for the Doctrine of the Faith to cremation."

(Private); S. C. Doct. Fid.. 7 Mar., 1967, Prot. N. 1S04/66; copies of the documents kindly sent us by the Rev. William P. O'Neill, Asst. Chancellor of the Cleveland Diocese.

CANON 1240

Belgium: Directives of Belgian episcopate regarding ecclesiastical burial in the case of a person who had previously led a life of concubinage: reported, without date, in *Revue Ecclés. de Liège,* 51 (1965)–122–123.

Cremation: Privation of ecclesiastical burial no longer absolute. See c. 1203; AAS 56-822.

CANON 1245

Dispensation From Law of Abstinence on All Days Except Good Friday (S. C. Cone., 22 April, 1963) Private.

Petition: The Bishop of Rockford humbly petitions Your Holiness for the faculty to dispense from the law of abstinence on Fridays and other days of abstinence N.N. who has a serious allergy· to all types of food that happen to be required on Fridays (eggs, milk products, fresh fruit, orange juice, wheat, and sea foods) and, according to the doctor's orders, has been advised to avoid all contact with such foods at least until the allergy can be controlled.

Reply: The Sacred Congregation of the Council, after attending to the recitals of the Bishop of Rockford, graciously grants him the faculty requested for as long as the declared reason perdures and with the exception of Good Friday.

(Private); S. C. Cone., *22* April, 1963, Prot. N. 82786/D,· copy kindly sent us by the Most Reverend Loras T. Lane, Bishop *of Rockford,* through the Rev. David J. Rock, Tribunal Secretary.

CANON 1247

Feast Days in Oriental Church. See c. 1; Cone. Vat. IL, 21 Nov., 1964, nn. 19, 20.

CANON 1248

Fulfillment of Sunday Mass Obligation on Saturday (Vatican Radio, 12 and 16 June, 1964) Private.

The following announcement was made over the Vatican Radio on 12 June, 1964.

The faithful can also satisfy the Sunday precept of holy Mass by assisting at the celebration of the divine service in the afternoon of Saturday in churches specifically designated by the local ecclesiastical authority. The Sacred Congregation of the Council,

at the request of local Ordinaries, granted the faculty to celebrate holy Mass after first Vespers on Saturday together with the valid discharge of the Sunday precept. It is left to the prudent judgment of the Ordinaries to indicate the times, localities, and churches which will enjoy this faculty as has already been done in some dioceses of Italy, Switzerland, and Argentina.[1]

Among the considerations which have prompted this concession at the present time are: the enormous and ever increasing frequency of weekend trips and of skiing excursions for whose patronizers the schedules of departure and return make it at least difficult to fulfill the Sunday precept; the situation in which numerous mountain villagers find themselves where, during the long periods of isolation brought about by accumulation of snow, part of the inhabitants would not be able to get to church and can at present have contact with the priest on Saturday; the serious dearth of clergy in some countries in which at present the priest by being able to celebrate four Sunday Masses including that on Saturday, will meet the greater number of the faithful.

On 16 June, 1964, a clarification of the above was broadcast by the same Vatican Radio station.

To render precise the message transmitted by us which was not understood by all within its lawful terms — in relation to some induits granted by the Sacred Congregation of the Council in determined localities during special religious exigencies due, among other reasons, to the development of modern tourist trends, it must be specified:

1) that no change has occurred in the general character of the Church's discipline relative to the Sunday precept and, therefore, Sunday is the day consecrated to our Lord whether as an act of collective homage or as an act of individual obligatory worship:

2) the said precept embraces a twofold obligation: one of a positive character (to hear holy Mass) ; the other of a negative character (abstention from servile work) ;

[1] This concession has also been recently granted to Catholics in Israel where, as is known, Sunday is considered a working day.

3) in order always to make easier the fulfillment of the obligation to hear holy Mass and to eliminate its regrettable nonfulfillment and at the same time for the lamentable lack of clergy, the faculty of satisfying the Sunday precept by a Mass heard at Vespers on Saturday has been granted at the request of some diocesan Ordinaries where these special and other exceptional causes prevail.

These concessions, which are relatively rare, are always exceptions to the general law. The discipline of the Church, which since apostolic times has considered Sunday as "the Lord's day," remains unchanged.

(Private); Vatican Radio, 12 and 16 June, 1964; translated from texts reported in *La Civiltà Cattolica,* anno 115: 3 (1964)-94.

Note: Fulfillment of the Sunday obligation on Saturday has also been authorized for Ecuador; reported in the Chicago archdiocesan paper, *The New World, 73* (19 Feb., 1965)—11.

Saturday Evening Mass to Satisfy Sunday Obligation (S. C. Cone., 15 May, 1965, particular induit) Private.

Cardinal Duval, Archbishop of Algiers and President of the Conference of Bishops of North Africa (Morocco, Algeria, and Tunisia) asked of the Holy See "the necessary authorization so that participation in the Mass of Saturday evening shall satisfy the obligation of Sunday Mass in cases where a group of the faithful for a legitimate reason would be deprived of the Sunday Mass."

The reasons for the petition were stated as follows: The Christians of our dioceses are very dispersed. Though far less numerous than they formerly were, they occupy an equally vast territory. On the other hand the number of priests has considerably diminished. In some places it is impossible to make sure of having Mass on Sunday in all country parishes. Moreover it sometimes happens that the faithful take a trip on Sunday for some cultural reason or for reasonable recreation after a week of sometimes exhausting work. In both cases this induit would be very useful for the spiritual good of Christians, whose situation presents real difficulties for their religious life.

Reply. After having considered the reasons presented, the S. C. of the Council grants to the Cardinal Archbishop of

Algiers and to the other Ordinaries of the Bishops' Conference the induit in question, *ad experimentum* for five years. Two points are recommended: that there be no disagreements in each region, and that every effort be made that in the minds of the faithful Sunday may continue to be the day consecrated to the Lord, according to the venerable tradition of the Church.

Given at Rome, the 15th day of May, 1965.

(Private) ; S. C. Cone., IS May, 1965. Reported in *La Documentation Catholique,* 62 (1965)–14S8.

Anticipated Sunday or Holy Day: Arrangement of Mass (S. C. Rit., 25 Sept., 1965) Private.

Background: In *Notitiae,* 1 (1965)–307, n. 87, the question was asked: "Which Mass is to be celebrated when, in virtue of an induit from the Apostolic See, the precept to assist at Mass on a feast may be satisfied by a Mass celebrated on the preceding evening?" The "unofficial" reply was: "It is better to say the Mass of the Sunday or of the feast together with a homily and the prayer of the faithful."

After the above response was given, the Sacred Congregation of Rites set down norms for the situation and communicated them to His Eminence, Peter Cardinal Ciriaci, Prefect of the Sacred Congregation of the Council in the following letter from Cardinal Larraona.

Norms: Many local Ordinaries have previously requested from the Sacred Congregation of the Council the faculty to permit the faithful entrusted to them in their dioceses to satisfy the precept of hearing Mass on Saturday evening or on the evening before a holjr day of obligation. These Ordinaries have now requested of the Sacred Congregation of Rites that at evening Masses of this kind use be made of the liturgical texts for the subsequent Sunday or feast.

After having attended to the reasonableness of the Ordinaries' petition and wishing to provide a simpler way to expedite both requests from the Apostolic See, this Sacred Congregation of Rites requests that, whenever the Sacred Congregation of the Council grants to local Ordinaries the faculty to permit the faithful entrusted to them in their dioceses to satisfy the precept of hearing Mass on Saturday evening or the evening before a holy

day of obligation, Your Eminence will, in the respective rescript, please make mention that, in such cases, by order of this Sacred Congregation, *the liturgical texts* of the subsequent Sunday or feast *must be used* and the homily and the prayer of the faithful must *not* be omitted in accord with the provisions of the instruction of the S. C. Rit., 26 Sept., 1964,[1] nn. 53-56.

(Private): S. C. Rit., 25 Sept., 1965, Prot. N. R. 50/065; reported in *Notitiae,* 2 (1966)-!4.

Sunday and Holy Day Mass Obligation Anticipated (S. C. Cone., 19 Oct., 1965) Private.

Petition. The President of the Assembly of Bishops of Germany humbly requests of Your Holiness for each of the local Ordinaries the faculty to allow, in special cases, the anticipation of Sunday or holy day Mass on the vigils. Also requested is an induit whereby the faithful who assist at the Mass can satisfy the prescription of canon 1248 of the Code of Canon Law.

The reasons for the petition are the fewness of priests, the people on weekends. At the same time, the faculty is requested whereby it is left to each Ordinary to determine the churches and persons who are to have the benefit of the induit.

Reply: After attending to the recitals, the Sacred Congregation of the Council graciously grants the faculty as requested to all the local Ordinaries of Germany for a period of five years by way of experiment. The liturgical texts of the following day must be used, a homily given, and the prayers of the faithful had in accordance with the instruction of the S. Congregation of Rites, dated 26 September, 1964/ numbers 53 and the following. Moreover, care is to be taken that it remain rooted in the minds of the faithful that Sunday is the day dedicated to God.

Given at Rome, 19 October, 1965.

(Private); S. C. Cone., 19 Oct., 1965, Prot. No. 101 727/D; reported in *Irchiv fiir Katholisches Kirchenrecht,* 135 (1966)–253.

Note: An identical reply was given to all the Bishops of Spain on 2 Feb., 1966: reported in *Sal Tcrrae,* 54 (1966)-669 with annotations on pp. 67O-6S2 (Regatillo).

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[1] Reported above, p. 73.

Anticipated Sunday Mass Obligation of 23 Dec., 1967 (S. C. Rit., 12 Dec., 1967) Private.

The following declaration was made by the S. C. of Rites.

Since the 4th Sunday of Advent in this year of 1967 falls on the vigil of Christmas, the Mass of the vigil is celebrated. However, where, in virtue of an apostolic induit, Mass will be celebrated on Saturday evening, 23 December, 1967, to satisfy the precept for the following Sunday, the Sacred Congregation of Rites declares that the evening Mass on the aforesaid Saturday must be that of the 4th Sunday of Advent and not that of the vigil of Christmas.

(Private); S. C. Rit., 12 Dec., 1967; reported in *Notitiae,* 3 (1967)-428.

Sunday and Feast Day Obligation Among Orientals. See c. 1; Cone. Vat. II., 21 Nov., 1964, n. 15.

CANON 1250

Fast and Abstinence: the New Regulations (Paul VI, Ap. Const., 17 Feb., 1966) AAS 58-177.

The Apostolic Constitution *Poenitemini,* before giving the new regulations on fast and abstinence, treats the whole subject of penance from the historical and theological standpoints, with an abundance of footnotes. This very valuable material is beyond the scope of the Canon Law Digest. We report only the dispositive part of the document, which is as follows:

I. § 1. All the faithful are bound by divine law to do penance.

§ 2. The prescriptions of ecclesiastical law regarding penance are completely reorganized according to the following norms.

II. § 1. The season of Lent retains its penitential character.

§ 2. The days of penance which must be observed *as a matter oj obligation* in the entire Church are all the Fridays of the year, and Ash Wednesday, or, according to the diversity of rites, the first day of the Great Lent; the substantial observance of these days is a grave obligation.1

1A notable commentary by Bertrams on what constitutes *substantial* observance was published in *L'Osservatorc Romano* of 20 Feb., 1966. See Note following the reference at the end of this document.

§ 3. Without prejudice to the faculties mentioned in nn. VI and VIII, the practice of penance on those days is as follows: abstinence is to be observed on all Fridays of the year, unless they occur on a feast of obligation; fast and abstinence, on Ash Wednesday, or, according to the diversity of rites, on the first day of the Great Lent, and on Good Friday.

III. § 1. The law of abstinence forbids meat, but not eggs, milk products, nor any condiments, even those made from animal fats.

§ 2. The law of fast prescribes that only one meal be taken in a day; but it does not forbid taking some nourishment in the morning and evening, observing, however, as to the quantity and quality, the approved customs of the place.

IV. The law of abstinence is binding on those who have completed their fourteenth year; the law of fast is binding from the completion of the twenty-first year to the beginning of the sixtieth. As for persons who are younger, pastors and parents should take special care to form them to a true sense of penance.

V. All privileges and induits, both general and particular, are abrogated; but these regulations make no change in the vows of any person, physical or moral, nor in the constitutions and rules of any religious or other approved institute.

VI. § 1. According to the conciliar Decree *Christus Dominus* on the Pastoral Office of Bishops, n. 38, 4,[2] it is within the power of the Conference of Bishops:

a) to transfer days of penance for a just cause, always taking into account the time of Lent;

ȯ) to substitute for abstinence and fast, either wholly or in part, other forms of penance, especially works of charity and exercises of piety.

§ 2. The Conference of Bishops should notify the Apostolic See by way of information, what they have decreed in this matter.

VII. Without prejudice to the faculty to dispense which individual Bishops have according to n. 8, b of the said Decree *Christus Dominus,* a pastor too can for just cause and observing the prescriptions of the Ordinary, grant to individual faithful and particular families a dispensation from abstinence and fast or their commutation to other pious works; and the Superior of

[2] Reported above, p. 235.

a clerical religious or other institute can do the same for his own subjects.

VIII. In the Oriental Churches, the Patriarch with the Synod, or the Supreme Authority of each Church with the Council of Hierarchs, has the right to determine the day of fast and abstinence according to the conciliar Decree *De Ecclesiis Orientalibus Catholicis,* η. 23.[3]

IX. § 1. It is very desirable that Bishops and other pastors of souls, besides a more frequent use of the Sacrament of Penance, should earnestly encourage extraordinary acts of penance for the purpose of expiation and petition, especially during Lent.

§ 2. To all the faithful it is highly recommended that they sincerely imbue their souls with the Christian spirit of penance, so that they may be more readily moved to works of penance and charity.

X. § 1. These regulations which, contrary to the usual practice, are promulgated through the daily press, that is, in *L'Osservatore Romano,* shall go into effect on Ash Wednesday of this year, that is, 23 February, 1966.

§ 2. However, in places where special privileges or induits, either general or particular, of any sort, have been in effect, a suspension of six months is granted, counting from the date of promulgation.

These statutes and prescriptions of Ours, We wish to be and remain firm and effective, notwithstanding any Apostolic Constitutions and Ordinances issued by Our Predecessors, or any other prescriptions, even those worthy of special mention and derogation.

Given at Rome, from Saint Peter's, the 17th of February in the year 1966, the third of Our Pontificate.

AAS 58–177; Paul VI, Ap. Const., 17 Feb., 1966. Annotations: *Amer. Eccles. Rev.,* 155 (1966)-129-130 (Connell); *Australasian Cath. Record,* 43 (1966)–137–152 (Madden); *Sal Terrae,* 54 (1966)-194-2O9 (Regatillo); *Periodica, 55* (1966)-748-754 (Zalba); *Monitor Ecclesiasticus,* 91 (1966)–198-219 (Romita); *Clergy Monthly,* 31 (1967)-51-5S (De Letter); *Clergy Review,* 52 (1967)–642–644 (McReavy).

Note: The following is a partial text of Father Bertrams' commentary. which was published in *L'Osservatore Romano* of 20 February. 1966.

"We think that the word 'substantial' was chosen designedly, especially in order the better to show the personal responsibility of

[3] Reported above, p. 7.

each one before God. so that every one may practice penance in spirit and in truth, without insisting too much on the traditional distinctions of casuistry between grave and light matter in the violation of the law. Consequently, a single violation could not be considered a grave sin. but the repeated and habitual violation would certainly be grave.

"Hence the more serious and sincere is the will to practice penance on the days and in the manner prescribed by the Church, the less inclined one should be to consider a partial violation as grave. The more serious the reason which prevents the observance of the law, the less grave will be the transgression. If the reason is really proportionately grave, it is certain that all obligation ceases. This may occur in case of illness, where one cannot take other food because of infirmity, where meals must be taken in common, in traveling when there is no choice, and so on. But when these excuses occur, there remains the obligation of divine law to practice penance in some other way according to the particular condition of the person."

Penitential Discipline in Canada (Canadian Catholic Conference, 14 Oct., 1966) Private.

Following is the decision taken by the Canadian Episcopate. The General Assembly decides:

1. To give new emphasis, by an intensive and well-coordinated catechesis, to the evangelical law of penance and to recall its obligatory character.

2. To maintain the penitential character of *Lent* and of *all Fridays oj the year,* with particular insistence on *Fridays oj Lent* and especially *Good Friday.* On these days, penance should be considered as an important requirement of the Christian life, but the manner of fulfilling this duty is left to the discretion of the faithful.

3. To remind parents and educators, on the occasion of this legislation which is directed especially to adults, of their duty to introduce children gradually to the practice of penance.

4. To recommend to the faithful "privileged forms" of penance, either by reason of their evangelical value, v.g., fasting, almsgiving, prayer, works of mercy, or by reason of their traditional value, v.g., abstinence.

(This decision was taken in the General Assembly, Friday, 14 October. 1966, and was effective the same day at 5:00 p.m.)

(Private); Canadian Catholic Conference, 14 Oct. 1966; copy kindly sent us by the Rev. Gordon George, S.J., Secretary General of C.C.C.

Penitential Discipline in the United States (N.C.C.B., 18 Nov., 1966) Private.

Following is the text of the pastoral statement of the National Conference of Catholic Bishops (N.C.C.B.) of the United States on penitential observance for the liturgical year. It was adopted during the annual meeting of N.C.C.B. in 1966 at Washington, D. C.

"If we say that we have no sin, we deceive ourselves and the truth is not in us. . . . If we say that we have not sinned, we make (God) a liar, and His word is not in us." (1 Jn 1:8-10.)

Thus Sacred Scriptures declare our guilt to be universal: hence, the universal obligation to that repentance which Peter, in his sermon on Pentecost, declared necessary for the forgiveness of sin (Acts 2:38). Hence, too, the Church's constant recognition that all the faithful are required by divine law' to do penance. As from the fact of sin we Christians can claim no exception, so from the obligation to penance we can seek no exemption.

Forms and seasons of penance vary from time to time and from people to people. But the need for conversion and salvation is unchanging, as is the necessity that, confessing our sinfulness, we perform, personally and in community, acts of penance in pledge of our inward penitence and conversion.

For these reasons, Christian peoples, members of a Church that is at once holy, penitent, and always in process of renewal, have from the beginning observed seasons and days of penance. They have done so by community penitential observances as well as by personal acts of self-denial; they have imitated the example of the spotless Son of God Himself, concerning Whom the Sacred Scriptures tell us that He w'ent into the desert to fast and to pray for forty days (Mk 1:13). Thus Christ gave the example to which Paul appealed in teaching us how' we, too, must come to the mature measure of the fullness of Christ (Eph 4:13).

Of the many penitential seasons which at one time or another have entered the liturgical calendar of Christians (who on this point have preserved the holy tradition of their Hebrew spiritual ancestors), three have particularly survived to our times: Advent, Lent, and the vigils of certain feasts.

Changing customs, especially in connection with preparation

for Christmas, have diminished popular appreciation of the Advent season. Something of the holiday mood of Christmas appears now to be anticipated in the days of the Advent season. As a result, this season has unfortunately lost in great measure the role of penitential preparation for Christmas that it once had.

Zealous Christians have striven to keep alive or to restore the spirit of Advent by resisting the trend away from the disciplines and austerities that once characterized the season among us. Perhaps their devout purpose will be better accomplished, and the point of Advent will be better fostered if we rely on the liturgical renewal and the new emphasis on the liturgy to restore its deeper understanding as a season of effective preparation for the mystery of the Nativity.

For these reasons, we, the shepherds of souls of this Conference, call upon Catholics to make the Advent season, beginning with 1966, a time of meditation on the lessons taught by the liturgy and of increased participation in the liturgical rites by which the Advent mysteries are exemplified and their sanctifying effect is accomplished.

If in all Christian homes, churches, schools, retreat and other religious houses, liturgical observances are practiced with fresh fervor and fidelity to the penitential spirit of the liturgy, then Advent will again come into its own. Its spiritual purpose will again be clearly perceived.

A rich literature concerning family and community liturgical observances appropriate to Advent has fortunately developed in recent years. We urge instruction based upon it, counting on the liturgical renewal of ourselves and our people to provide for our spiritual obligations with respect to this season.

* * *

Lent has had a different history than Advent among us. Beginning with the powerful lesson of Ash Wednesday, it has retained its ancient appeal to the penitential spirit of our people. It has also acquired elements of popular piety which we Bishops would wish to encourage.

Accordingly, while appealing for greater development of the understanding of the Lenten liturgy, as that of Advent, we hope that the observance of Lent as the principal season of penance in the Christian year will be intensified. This is the more desirable because of new insights into the central place in Christian

faith of those Easter mysteries for the understanding and enjoyment of which Lent is the ancient penitential preparation.

Wherefore, we ask, urgently and prayerfully, that we, as people of God, make of the entire Lenten season a period of special penitential observance. Following the instructions of the Holy See, we declare that the obligation both to fast and to abstain from meat, an obligation observed under a more strict formality by our fathers in the faith, still binds on Ash Wednesday and Good Friday. No Catholic Christian will lightly excuse himself from so hallowed an obligation on the Wednesday which solemnly opens the Lenten season and on that Friday called "Good" because on that day Christ suffered in the flesh and died for our sins.

In keeping with the letter and spirit of Pope Paul's Constitution *Poenitemini,*[1] we preserve for our dioceses the tradition of abstinence from meat on each of the Fridays of Lent, confident that no Catholic Christian will lightly hold himself excused from this pentitential practice.

For all other weekdays of Lent, we strongly recommend participation in daily Mass and a self-imposed observance of fasting. In the light of grave human needs which weigh on the Christian conscience in all seasons, we urge particularly during Lent, generosity to local, national and world programs of sharing of all things needed to translate our duty to penance into a means of implementing the right of the poor to their part in our abundance. We also recommend spiritual studies, beginning with the Scriptures as well as the traditional Lenten devotions (sermons, Stations of the Cross, and the rosary) and all the self-denial summed up in the Christian concept of "mortification."

Let us witness to our love and imitation of Christ, by special solicitude for the sick, the poor, the underprivileged, the imprisoned, the bedridden, the discouraged, the stranger, the lonely, and persons of other color, nationalities or background than our own. A catalogue of not merely suggested but required good works under these headings is provided by our Blessed Lord Himself in His description of the Last Judgment (cf. Mt 25:34-40). This salutary word of the Lord is necessary for all the year, but should be heeded with double care during Lent.

During the Lenten season, certain feasts occur which the

[1] Reported above, p. 675.

liturgy or local custom traditionally exempts from the Lenten spirit of penance. The observance of these will continue to be set by local diocesan regulations; in these, and like canonical questions which may arise in connection with these pastoral instructions, reference should be made to Article VII of *Poenitemini* and the usual norms.

* * *

Vigils and Ember Days, as most now know, no longer oblige to fast and abstinence. However, the liturgical renewal and the deeper appreciation of the joy] *of* the holy days of the Christian year will, we hope, result in a renewed appreciation as to why our forefathers spoke of "a fast before a feast." We impose no fast before any feastday, but we suggest that the devout will find greater Christian joy in the feasts of the liturgical calendar if they freely bind themselves, for their own motives and in their own spirit of piety, to prepare for each Church festival by a day of particular self-denial, penitential prayer and fasting.

* * *

Christ died for our salvation on Friday.

Gratefully remembering this. Catholic peoples from time immemorial have set apart Friday] for special penitential observance by' which they gladly' suffer with Christ that they may one day be glorified with Him. This is the heart of the tradition of abstinence from meat on Friday where that tradition has been observed in the holy Catholic Church.

Changing circumstances, including economic, dietary and social elements, have made some of our people feel that the renunciation of the eating of meat is not always and for every'one the most effective means of practicing penance. Meat was once an exceptional form of food; now it is commonplace.

Accordingly, since the spirit of penance primarily] suggests that we discipline ourselves in that which we enjoy most, to many in our day abstinence from meat no longer implies penance, while renunciation of other things would be more penitential.

For these and related reasons, the Catholic Bishops of the United States, far from downgrading the traditional penitential observance of Friday, and motivated precisely by] the desire to give the spirit of penance greater vitality, especially] on Fridays, the day that Jesus died, urge our Catholic people henceforth to be guided by the following norms:

1. Friday itself remains a special day of penitential observance throughout the year, a time when those who seek perfection will be mindful of their personal sins and the sins of mankind which they are called upon to help expiate in union with Christ crucified;

2. Friday] should be each week something of what Lent is in the entire year. For this reason we urge all to prepare for that weekly Easter that comes with each Sunday by freely making of every Friday a day of self-denial and mortification in prayerful remembrance of the passion of Jesus Christ;

3. Among the works of voluntary] self-denial and personal penance which we especially] commend to our people for the future observance of Friday, even though we hereby terminate the traditional law of abstinence as binding under pain of sin. as the sole prescribed means of observing Friday, we give first place to abstinence from flesh meat. We do so in the hope that the Catholic community will ordinarily continue to abstain from meat by] free choice as formerly] we did in obedience to Church law. Our expectation is based on the following considerations:

a) We shall thus freely] and out of love for Christ crucified show our solidarity with the generations of believers to whom this practice frequently] became, especially in times of persecution and of great poverty, no mean evidence of fidelity to Christ and His Church.

b) We shall thus also remind ourselves that as Christians, although immersed in the world and sharing its life, we must preserve a saving and necessary] difference from the spirit of the world. Our deliberate, personal abstinence from meat, more especially] because no longer required by] law. will be an outward sign of inward spiritual values that we cherish.

Every Catholic Christian understands that the fast and abstinence regulations admit of change, unlike the commandments and precepts of that unchanging divine moral law which the Church must today and always defend as immutable. 1 his said, we emphasize that our people are henceforth free from the obligation, traditionally] binding, under pain of sin in what pertains to Friday] abstinence, except as noted above for Lent. \\ e stress this so that no scrupulosity will enter into examinations of conscience, confessions or personal decisions on this point.

Perhaps we should warn those who decide to keep the Friday

abstinence for reasons of personal piety and special love that they must not pass judgment on those who elect to substitute other penitential observances. Friday, please God, will acquire among us other forms of penitential witness which may become as much a part of the devout way of life in the future as Friday abstinence from meat. In this connection we have foremost in mind the modern need for self-discipline in the use of stimulants and for a renewed emphasis on the virtue of temperance, especially in the use of alcoholic beverages.

It would bring great glory to God and good to souls if Fridays found our people doing volunteer work in hospitals, visiting the sick, serving the needs of the aged and the lonely, instructing the young in the faith, participating as Christians in community affairs, and meeting our obligations to our families, our friends, our neighbors and our community, including our parishes, with a special zeal born of the desire to add the merit of penance to the other virtues exercised in good works born of living faith.

In summary, let it not be said that by this action, implementing the spirit of renewal coming out of the Council, we have abolished Friday, repudiated the holy traditions of our fathers, or diminished the insistence of the Church on the fact of sin and the need for penance. Rather, let it be proved by the spirit in which we enter upon prayer and penance, not excluding fast and abstinence freely chosen, that these present decisions and recommendations of this Conference of Bishops will herald a new birth of loving faith and more profound penitential conversion, by both of which we become one with Christ, mature sons of God and servants of God's people.

N.B. The effective date of these regulations is the first Sunday of Advent. Nov. 27, 1966.

(Private); N.C.C.B., IS Nov., 1966; quoted directly from the N.C.W.C Documentary Service issue of November 18, 1966.

Days of Penance: Substantial Observance (S. C. Cone., 24 Feb., 1967) AAS 59-229.

Questions: I. Whether the *substantial* observance of days of penance, which is declared to be of grave obligation in the dispositive part of the Constitution *Paenitemini,* II, § 2, of 17

February, 1966,[1] refers to the individual days of penance which are to be observed as a matter of obligation in the whole Church;

II. Or does it refer rather to the whole complexus of penitential days to be observed with the penances attached to them.

Replies: The S. C. of the Council replied, with the approval of the Supreme Pontiff Paul VI;

I. *In the negative.*

II. *In the affirmative;* that is, one sins gravely against the law, who, without an excusing cause, omits a notable part, quantitative or qualitative, of the penitential observance which is prescribed as a whole.

Given at Rome, 24 February, 1967.

AAS 59-229; S. C. Cone., 24 Feb., 1967. Annotations: see *Note* above on p. 677; also *Commentarium pro Religiosis,* 46 (1067)–225–226 (Peinador); *SalTerrae,* 55 (1967)–256–274 (Higuera).

Italy: Penitential discipline in, effective 23 Aug., 1966, reported in *Palestra del Clero,* 45 (1966)-909-910.

Spain: Penitential discipline in, effective 1 Jan., 1967, reported in *Vida Religiosa,* 24 (1967)-16-23.

CANON 1252

Airline Passengers and Employees Dispensed From Abstinence (S. C. Cone., 9 Mar., 1964) Private.

Catholic passengers and employees of Trans World Airlines are dispensed from the obligation of abstinence on all Fridays and other days of abstinence whenever and wherever they are served meals by Trans World Airlines.

The above privilege has been granted by the Holy See through the Sacred Congregation of the Council, N. 88508/D, 9 March, 1964, to Trans World Airlines.

(Private); S. C. Cone., 9 Mar., 1964, Prot. No. SS50S/D; reported and authenticated by Charles H. Helmsing, Bishop of Kansas City-St. Joseph, 4 May, 1964, in printed notice available aboard TWA planes.

Note; Apparently the above is the first such grant. Since its issuance, many other airlines have been granted the same induit but always as a grant to the particular airline and not in general for all airlines.

[1] AAS 58-177, reported above, p. 675.

Dispensation From Abstinence on Friday, August 14, 1964 (S. C. Cone., Decree, 22 July, 1964) AAS 56-605.

As several local Ordinaries from various nations have asked that the law of abstinence be relaxed on the coming 14th of August, which this year falls on a Friday, this Sacred Congregation of the Council, by special mandate of the Sovereign Pontiff, grants to local Ordinaries everywhere on earth the faculty to dispense the faithful from the law of abstinence on that day.

Given at Rome, the 22nd of July, 1964.

AAS 56-605; S. C. Cone., 22 July, 1964.

Fast and Abstinence. Draft of new legislation submitted to Presidents of Episcopal Conferences. See c. 292; AAS 57-917.

Poenitemini: Ap. Const., 17 Feb., 1966. See c. 1250; AAS 58-177.

CANON 1254

Railroad Passengers Exempt From Law of Abstinence (S. C. Cone., 1 April, 1965) Private.

The following notice was sent to all members of the U. S. Hierarchy by the General Secretary of the N. C. W. C. at the request of the U. S. Apostolic Delegate. It was published in at least some of the diocesan newspapers.

"Under date of April 1, 1965, the Sacred Congregation of the Council has written that, in view of the difficulty that the railroad companies have in preparing meatless meals, the passengers should not be considered as bound by the law of abstinence."

(Private) ; S. C. Cone., 1 April, 1965.

CANON 1255

Divine Worship in Oriental Church. See c. 1; Cone. Vat. IL, 21 Nov., 1C64, nn. 19-23.

Sacred Heart of Jesus. In an Apostolic Letter to Patriarchs, Primates, Archbishops and Bishops of the whole Catholic world, Paul VI urges special devotion to the Sacred Heart of Jesus. The occasion is the second centenary of the establishment of the liturgical feast of the Sacred Heart. Paul VI, Ap. Letter, 6 Feb., 1965 (AAS 57-298).

CANON 1258

Decree on Ecumenism (Cone. Vat. II., 21 Nov., 1964) AAS 57-90.

Paul, Bishop, servant of the servants of God, together with the Fathers of the most sacred Council: for a perpetual memorial.

Introduction

1. The restoration of unity among all Christians is one of the principal topics proposed to the Second Ecumenical Vatican Synod. For one and only one Church was founded by Christ, the Lord. Yet many Christian communions present themselves to men as the true heritage of Jesus Christ. All indeed profess to be disciples of the Lord but differ in mind and go their different ways as if Christ Himself were divided.[1] Certainly such division openly contradicts the will of Christ, is a cause of scandal to the world, and provides an obstacle to the most holy cause of preaching the gospel to every creature.

However, the Lord of ages wisely and patiently follows out the plan of His grace on behalf of us sinners. Very recently He has begun to pour compunction of soul into Christians divided among themselves and a greater longing for union. Everywhere very many have been roused by this grace and among our separated brethren there has sprung up, under the fostering grace of the Holy Spirit, a movement, growing day by day, for the restoration of unity among all Christians. This movement for unity is called ecumenical and they participate in it who invoke the Triune God and acknowledge Jesus as Lord and Savior not only as individuals separately but also as corporate entities in which they have heard the gospel and which each one of them says is his and God's Church. Almost all, however, although in different ways, seek to reach the one visible Church of God which is truly universal and which was sent into the whole world so that the world would be converted to the gospel and thus be saved for the glory of God.

Therefore, the sacred Synod, gladly considering all this and having already declared its teaching regarding the Church, is moved by a desire for unity among all the disciples of Christ

[1] Cf. 1 Cor. 1:13.

and wishes to propose to all Catholics the ways and means whereby they themselves can respond to this divine call and grace.

Chapter I

CATHOLIC PRINCIPLES ON ECUMENISM

2. The love of God among us has been manifested in this fact: that the only-begotten Son of God was sent into the world by the Father so that, having become man, He might regenerate the whole human race by redemption and gather it into a unity? Before He offered Himself as a spotless victim on the altar of the cross, He prayed to His Father for believers: "that all may be one, even as you, Father, in me and I in you, that they also may' be one in Us; so that the world may believe that You have sent Me" (Jn. 17:21) and He instituted in His Church the wonderful sacrament of the Eucharist by which the unity[1] of His Church is both signified and brought about. He gave His disciples a new commandment of mutual love[3] and promised[4] the Spirit, the Paraclete, who, as Lord and Giver of life, would remain with them forever.

Furthermore, after He had been lifted up on the cross and glorified, the Lord Jesus poured forth the Spirit as promised and through Him He has called and gathered together the people of the new covenant, who are the Church, into a unity of faith, hope and charity as the Apostle teaches: "There is but one body and one spirit just as there is but one hope given you by your call. There is but one Lord, one faith, one baptism" (Eph. 4:4-5). For "whoever of you has been baptized into Christ, has put on Christ. . . . For you are all one in Christ Jesus" (Gal. 3:27-28). The Holy Spirit, who dwells in the believers and pervades the whole Church and rules it, brings about that wonderful fellowship of the faithful and joins all so intimately in Christ that He is the principle of the Church's unity. He works the distribution of graces and ministries,[5] enriching the Church

= Cf. 1 Jn. 4:9; Col. 1:1S-2O; Jn. 11:52.
3 Cf. Jn. 13:34.
4 Cf. Jn. 16:7.
5 Cf. 1 Cor. 12:4-11.

of Jesus Christ with various functions "in order to perfect the saints for a work of ministry, for building up the body of Christ" (Eph. 4:12).

Wherefore, in order to establish this His holy Church everywhere in the world till the end of the world, Christ entrusted to the College of the Twelve the task of teaching, ruling, and sanctifying.0 Out of them He chose Peter on whom, after his confession of faith, He decided to build His Church. To him He promised the keys of the kingdorp of heaven,7* and, after the profession of his love, committed to him all His sheep to be confirmed in faith8*and shepherded in perfect unity0 while Jesus Christ Himself remains forever the chief cornerstone10 and the shepherd of our souls.11

Through the faithful preaching of the gospel, the administration of the sacraments, and government with love by the Apostles and their successors, namely the Bishops with Peter's successor as head, and under the action of the Holy Spirit, Jesus Christ wishes His people to increase and perfect their fellowship in unity: in the confession of the one faith, in the common celebration of divine worship as well as in the fraternal harmony of the family of God.

Accordingly, the Church, God's one and only flock, like a standard raised among the nations,12 furnishes the gospel of peace to the whole human race13 and hopefully goes its pilgrim way to the goal of the heavenly fatherland.14

This is the sacred mystery of the unity of the Church, in Christ and through Christ, with the Holy Spirit activating a variety of functions. The highest exemplar and foundation of this mystery is the unity of one God in the Trinity of Persons, Father and Son in the Holy Spirit,

0 Cf. Mt. 28:18-20 in conjunction with Jn. 20:21-23.

7 Cf. Mt. 16:19 in conjunction with Mt. 18:18.

8Cf. Lk. 22:32.

°Cf. Jn. 21:15-17.

10 Cf. Eph. 2:20.

11 Cf. 1 Pct. 2:25; Cone. Vat. I, Sess. IV (1870), Const. *Pastor aeternus: Coll. Lac.,* 7, 482 a.

»2Cf. Isa. 11:10-12.

13 Cf. Eph. 2:17-18 in conjunction with Mk. 16:15.

uCf. 1 Pct. 1:3-9.

3. Even from the very beginning of this one and only Church of God certain rifts arose[15] which the Apostle severely censured as damnable.[16] Moreover, in later centuries, greater dissensions sprang forth and communities, hardly small, were separated from full communion with the Catholic Church and, at times, not without fault of men on both sides. On the other hand, those who are now born into these communities and are imbued with faith in Christ cannot be accused of the sin of separation. The Catholic Church looks upon them with brotherly reverence and esteem. Really, those who believe in Christ and have duly received baptism are put into a kind of communion, even though not perfect, with the Catholic Church. Certainly the differences which obtain in various ways between them and the Catholic Church both in doctrinal and, at times, in disciplinary matters as well as regarding the structure of the Church, constitute not a few obstacles, sometimes rather serious obstacles, to full ecclesiastical communion. The ecumenical movement is striving to overcome these obstacles. Despite all this, those who have been justified by faith in baptism are incorporated into Christ,[17] and, as a result, are rightly honored with the title, Christian, and are deservedly recognized by the children of the Catholic Church as brothers in the Lord.[18]

Furthermore, of the elements or constituents which, taken together, build up and give life to the Church, some, indeed most, even outstanding ones, can be found outside the visible pale of the Catholic Church: the written word of God, the life of grace, faith, hope, and charity, and other interior gifts of the Holy Spirit as well as visible elements. All these come from Christ and lead back to Him and pertain by right to the one and onlv Church of Christ.

Moreover, not a few of the sacred actions of the Christian religion are performed by brethren divided from us. Tn varying ways according to the different condition of each Church or Community these can. without doubt, really generate a life of grace and must be declared apt to open the door to winning salvation.

15 Cf. 1 Cor. 11:18-19; Gal. 1:6-9; 1 Jn. 2:18-19. -C'

16 Cf. 1 Cor. 11:11 ff.; 11:22.

17 Cf. Cone. Florentinum, Sess. VIII (1439), Decretum *Exultate Deo:* Mansi, 31:1055 A.

19 Cf. S. Augustinus: *In Ps. 32, Enarr. II, 29; PL* 32:299.

Accordingly, those same separated Churches[10] and Communities, even though, in our belief, they suffer from defects, are in nowise without significance and importance in the mystery of salvation. For the Spirit of Christ has not refrained from using them as means of salvation which derive their efficacy from the very fulness of grace and truth which have been entrusted to the Catholic Church.

Nevertheless, the brethren separated from us, whether as individuals or as Communities or Churches, do not enjoy that unity which Jesus Christ wished to bestow on them whom He regenerated and vivified into one body and to a new life, and which Sacred Scripture and the venerable Tradition of the Church proclaim. For it is through the Catholic Church of Christ alone, which is the general means of salvation, that the complete fulness of means of salvation can be laid hold of. As everybody knows, we believe that only to the Apostolic College, of which Peter is the head, did the Lord commit all the treasures of the New Covenant to establish the one body of Christ on earth into which should be incorporated fully all who already in any way pertain to the people of God. This people, while it goes its pilgrim way on earth, even though it remains liable to sin in its members, grows in Christ and is gently led on by God according to His inscrutable designs, until it joyfully arrives at the absolute fulness of eternal glory in the heavenly Jerusalem.

4. Since today in many parts of the world, under the inspiring grace of the Holy Spirit, many efforts are being made by prayer, word, and work to attain that fulness of unity desired by Jesus Christ, this holy Synod exhorts all the Catholic faithful to recognize the signs of the times and to participate shrewdly in ecumenical endeavor.

By "the ecumenical movement" are understood the activities and the undertakings which according to the various needs of the Church and the circumstances of time are set in motion and ordered to promoting Christian unity such as, in the first place, all efforts to throw out words, judgments, and works

19 Cf. Cone. Lateranense IV (1215), Constitutio IVa Mansi, 22:990; Cone. Lugdunense II (1274), Professio fidei Michaelis Paleologi Mansi. 24:71 E; Cone. Florentinum, Sess. VI (1439), Definitio *Lacientur caeli:* Mansi, 31:1026 E.

which do not square with the condition of our separated brethren as regards fairness and truth and, as a result, render mutual dealings with them more difficult. Secondly, in meetings of Christians from different Churches and Communities which have been organized in a religious spirit, "dialogue" is entered into by well-trained experts and in it each one unfolds more deeply the teaching of his communion and clearly shows its distinctive features. For through dialogue of this kind all acquire a truer knowledge of the teaching and life as well as a more adequate evaluation of each communion. As a further consequence, those communions achieve a fuller collaboration in services demanded by every Christian conscience for the common good and, where allowed, come together for prayer in common. Finally, all examine their fidelity to the will of Christ regarding the Church and, as it behooves, vigorously attack the task of renewal as well as of reform.

All these activities, when they are prudently and patiently carried out by the faithful of the Catholic Church under the vigilance of their pastors, contribute to the good of equity and truth, harmony and collaboration, brotherly understanding and union. Thus, in this way, little by little, when the obstacles barring perfect communion of the Churches have been overcome, all Christians, in a common celebration of the Eucharist, will be gathered together into the unity of the one and only Church — that unity which Christ bestowed on His Church from the beginning and which we believe exists in the Catholic Church as something which cannot be lost and which we hope will increase daily until the end of the world.

On the other hand, it is evident that the task of preparation and reconciliation of those individuals who desire full Catholic communion is, by its nature, distinct from ecumenical undertaking. Nevertheless, there is no opposition since both proceed from God's marvelous arrangement.

The Catholic faithful in their ecumenical activity should, without doubt, be concerned about their separated brethren, praying for them, talking over Church matters with them, taking the first steps toward them. However, in the first place, they must themselves, with a sincere and attentive mind, weigh those things which must be renewed and carried out in the Catholic

household itself so that its life may bear more faithful and clear witness to the teaching and institutes handed down by Christ through the Apostles.

For although the Catholic Church has been enriched with all the truth revealed by God and with all the means of grace, yet its members do not thereby live with all the fervor they ought. As a result, the features of the Church are less radiant to the brethren separated from us and the spread of the kingdom of God is retarded. Consequently, all Catholics must strive for Christian perfection,[20] and, each one according to his condition, exert himself in order that the Church, bearing in her body the humility and dying of Jesus,[21] may day by day be cleansed and renewed until Christ presents her to Himself in her glory, not having spot or wrinkle.[22]

While preserving unity in essentials, all in the Church, according to the function given to each one, should maintain due freedom both in the various forms of spiritual life and discipline and in differences of liturgical rites, and even in theological elaboration of revealed truth. However, in all cases they should cultivate charity. Assuredly it is by this plan of action that they will themselves daily and more fully manifest the genuine catholicity as well as the apostolicity of the Church.

On the other hand, it is necessary that Catholics joyfully acknowledge and esteem the truly Christian endowments, deriving from a common heritage, which are found among the brethren separated from us. It is right and salutary to acknowledge the riches of Christ and the virtuous works in the lives of others who bear witness for the sake of Christ, sometimes even to the shedding of their blood. For God is always wonderful and to be admired in His works.

Neither must it be overlooked that whatever is wrought in our separated brethren by the grace of the Holy Spirit, can contribute also to our own upbuilding. Whatever is truly Christian is never opposed to the genuine holdings of the faith. Moreover, it can always bring about a more perfect grasp of the mystery of Christ and of the Church.

20 Cf. James 1:4; Rom. 12:1-2.
21 Cf. 2 Cor. 4:10; Phil. 2:5-8.
22 Cf. Eph. 5:27.

Nevertheless the divisions among Christians constitute an obstacle to the Church so that she does not actually show the fulness of catholicity proper to her in those sons who, albeit assigned to her indeed by baptism, are yet separated from full communion with her. As a matter of fact, it also becomes quite difficult for the Church herself to express in the very reality of life every aspect of the fulness of catholicity.

This sacred Synod joyfully notes that participation by the Catholic faithful in ecumenical activity grows daily and recommends it to the Bishops everywhere in the world so that it may be skillfully promoted and prudently directed by them.

Chapter II

THE PRACTICE OF ECUMENISM

5. Concern for the establishment of unity pertains to the whole Church, both the faithful and the pastors, and affects everyone according to his own inner strength whether that be in his daily living as a Christian or in his theological and historical research. This concern already shows in a certain way the brotherly union existing among all Christians and is conducive to the full and perfect unity willed by a kind God.

6. Since all renewal in the Church[23] consists essentially in increased fidelity to her vocation, beyond all doubt that is the reason why the movement strives for unity. The Church, as she goes her pilgrim way, is called by Christ to this perennial reformation which she herself as a human and earthly institution constantly needs. As a result, if, by reason of time and circumstances, some matters have been deficient in preciseness whether in morals or in ecclesiastical discipline, or even in the manner of expressing doctrine, which must be carefully distinguished from the deposit of faith itself, these should be correctly and appropriately set forth afresh at the opportune time.

This renewal, therefore, has extraordinary ecumenical importance. However, those various phases of the Church's life through which this renewal is already being effected — such as the biblical and liturgical movements, the preaching of the

[23] Cf. Conc. Lateranense V, Sess. XII (1517), Const. *Constituti:* Mansi, 32:985 B-C.

word of God and catechetics, the apostolate of the laity, new forms of religious life, the spirituality of matrimony, the teaching and activity of the Church in social matters — must be considered as kinds of pledges and signs which are favorable portents of the future progress of ecumenism.

7. There is no ecumenism worthy of the name without an interior conversion. Assuredly it is from a new frame of mind,[21] from self-denial and from an unstinted pouring forth of charity that desires for unity take their rise and come to maturity. Consequently, we must beg from the divine Spirit the grace of sincere self-denial, humility, and gentleness in the service of others and an attitude of brotherly generosity towards them. "I plead with you," says the Apostle of the Gentiles, "I, a prisoner of the Lord, to live a life worthy of the calling you have received, with perfect humility and meekness, and with patience, supporting one another lovingly. Make every effort to preserve the unity whose source is the Spirit and whose bond is peace" (Eph. 4:1-3). This exhortation particularly pertains to those λνῖιο have been raised to sacred Orders precisely in order to carry on the mission of Christ who came among us "not to be served, but to serve" (Mt. 20:28).

As to faults against unity the witness of St. John is also significant: "If we say that we have not sinned, we make Him a liar, and His word is not in us" (1 Jn 1:10). Therefore, we humbly pray for and petition pardon from God and from our separated brethren just as we forgive those who trespass against us. Let all Christ's faithful be mindful that they promote unity, indeed put it into practice, better, the more they endeavor to lead faultless lives in keeping with the gospel. For the closer the interchange which unites them with the Father, the Word, and the Spirit, the more profoundly and easily will they be able to grow in mutual fellowship.

8. This change of heart and holiness of life together with private and public prayer for unity among Christians must be considered as the soul of the whole ecumenical movement and deserves to be called spiritual ecumenism.

It is in fact a religious practice among Catholics frequently to have recourse to that prayer for Church unity with which the

[**] Cf. Eph. 4:23.

Savior Himself on the eve of His death ardently begged of His Father: "That all may be one" (Jn. 17:21).

In certain special circumstances, such as prayers which are proclaimed "for unity," as well as in ecumenical gatherings, it is allowable, nay more, it is desirable that Catholics associate in prayer with their separated brethren. Common prayers of that kind are certainly a very effective means of winning the grace of unity and are a real expression of the bonds which still bind Catholics with their separated brethren: "For where two or three are gathered together for My sake, there I am in the midst of them" (Mt. 18:20).

On the other hand, participation in divine worship *{communicatio in sacris)* may not be considered a means to be used indiscriminately for the restoration of Christian unity. Such participation depends on two basic principles especially: the expression of the unity of the Church, and the sharing in the means of grace. The expression of unity very often forbids participation but the grace to be sought sometimes recommends it. The concrete course of action, unless otherwise established by the Bishops' Conference according to the norm of its own statutes or by the Holy See, should be prudently decided by local episcopal authority after due consideration of all the circumstances of time, place, and persons.

9. We should get to know the outlook of our separated brethren. To do this, study is a necessary requisite and it must be pursued objectively and wholeheartedly. **It** is necessary that Catholics, appropriately prepared, should acquire a better knowledge of the teaching and the history, the spiritual life as well as the manner of worship, the religious psychology and the culture which are proper to the brethren. To accomplish this objective, meetings of persons from both sides are of great help, especially for discussion of theological questions. In the meetings each should deal with the other on an equal footing provided that those who take part in them act under the direction of superiors and are truly competent. From such dialogue it will also be more clearly made known just what is the true condition of the Catholic Church. In this way, likewise, the mind of our separated brethren will be better ascertained and our faith will be more aptly explained to them.

10. Sacred theology and other branches of knowledge, especially of an historical nature, should be treated from an ecumenical point of view also in order that they may ever more accurately correspond to the truth.

Assuredly, it is of great concern that future pastors and priests be strong in theology carefully worked out in this manner and not polemically, particularly in those matters which look to the relations of our separated brethren with the Catholic Church.

It is a fact that the requisite training and spiritual formation of the faithful and of religious depends in the utmost degree on the formation received by the priests.

Furthermore, Catholics engaged in missionary works in the same territories as other Christians should, especially today, know the questions and benefits which derive from ecumenism in their apostolate.

11. The manner and method of expressing the Catholic faith should not in any way become an obstacle to dialogue with the brethren. Certainly the complete teaching should be clearly set forth. Nothing is so foreign to ecumenism as that false irenicism whereby the purity of Catholic teaching suffers harm and its unmistakable and genuine meaning is obscured.

At the same time, the Catholic faith must be explained both more deeply and more accurately in a manner and terminology which can also be truly understood by our separated brethren.

Moreover, in ecumenical dialogue Catholic theologians, while clinging to the Church's teaching, should take steps with our separated brethren in pursuing research on the divine mysteries with love for the truth, with charity and humility. When comparing doctrines, they should remember that there exists an order or ' hierarchv" of truths in Catholic doctrine since there exists a difference of relationship among them and the fundamentals of the Catholic faith. Thus the way lies open whereby all may be roused by this sort of brotherly rivalry to a deeper knowledge and a clearer manifestation of the unfathomable riches of Christ.·"

12. Before all nations let Christians the world over profess their faith in the one and triune God, in the Son of God made man. our Redeemer and Lord, and by a common effort and

25 Cf. Eph. 3:8.

mutual esteem let them bear witness to our hope which does not throw us into confusion. In today's times, when cooperation in social matters is so broadly taken for granted, all men without exception are called to a common undertaking, and still more strongly those who believe in God but most especially all Christians precisely because they have been stamped with the name of Christ. The cooperation of all Christians in a living way expresses that agreement whereby they are already united among themselves and sets in fuller light the features of Christ the Servant. This cooperation, already established in not a few countries, should be perfected more and more, especially in areas where social or technical evaluation is being carried out, whether in forming a correct evaluation of the dignity of the human person, or in fostering the blessing of peace, or in following out the social application of the gospel, or in advancing the arts and sciences in the Christian spirit, or even in employing remedies of whatever kind for the woes of our times such as hunger and misfortune, illiteracy and want, lack of housing and unequal distribution of wealth. By this kind of cooperation all who believe in Christ can easily come to learn how one can acquire better knowledge and higher esteem of another and prepare the way to unity among Christians.

Chapter III

CHURCHES AND ECCLESIAL COMMUNITIES SEPARATED FROM THE ROMAN APOSTOLIC SEE

13. We turn our gaze to the two principal kinds of scission affecting the seamless robe of Christ.

The first of these occurred in the East either when the dogmatic formulas of the Councils of Ephesus and Chalcedon were challenged or, at a later period, when the ecclesiastical communion between the Eastern Patriarchates and the Roman See was broken.

Afterwards, more than four centuries later, another arose in the West as a result of the events which are commonly included under the label "Reformation." Thereafter, a great number of communions, national or confessional, separated themselves from the Roman See. Among those in which Catholic traditions and structures continue to exist in part, the Anglican Communion holds a special place.

And yet these different divisions greatly vary among themselves, not only by reason of their origin, place, and time, but especially in the nature and gravity of questions which pertain to faith and ecclesiastical structure.

Wherefore, without making light of the various conditions of the different Christian assemblies and without bypassing the bonds which continue to exist between them notwithstanding the division, this sacred Synod has decided to propose the following considerations with a view to carrying on prudent ecumenical activity.

I. *Special Consideration oj the Eastern Churches*

14. The Churches of the East and of the West for not a few centuries pursued each its own way although united by a brotherly communion of faith and sacramental life. By common consent, if discussions arose between them concerning faith or discipline, the Roman See acted as guide. In the midst of other matters of serious import, the most sacred Synod is pleased to recall to the attention of all that there flourishes in the East a great number of particular or local Churches among which the Patriarchal Churches hold first place and of which not a few glory in deriving their origin from the Apostles themselves. Accordingly, among the Orientals there have obtained and still obtain a solicitude and care to preserve those fraternal bonds in a communion of faith and charity which must obtain between local churches as between sisters.

Likewise not to be passed over is the fact that the Churches of the East from their beginning possess a treasure from which the Church of the West has drawn much in liturgical matters, in spiritual tradition, and in juridical structure. Neither must we consider it of little moment that the basic dogmas of the Catholic faith regarding the Trinity and the \Vord of God who was made man of the Virgin Mary, were defined in ecumenical councils held in the East. For the preservation of this faith these Churches have suffered and still suffer much.

On the other hand, the heritage handed down by the Apostles was accepted in different forms and manners and, as a result, from the very beginnings of the Church, has here and there been variously explained because of the additional differences of natural character and conditions of life. All these factors, over and above external causes, as well as the lack of mutual understanding and charity, provided occasion for separations.

For this reason, the most sacred Synod exhorts all indeed, but especially those who intend to apply themselves to the restoration of the wished-for full communion between the Eastern Churches and the Catholic Church, to have due consideration of the special condition of the nascent and growing Churches of the East and of the nature of the relations which prior to the separation obtained between them and the Roman See, and to form for themselves a correct evaluation of all these matters. These points, if accurately observed, will contribute very greatly to the intended dialogue.

15. Known also to everyone is with how great love Christians of the East perform the sacred liturgy, especially the celebration of the Eucharist, the source of the Church's life and the pledge of future glory, whereby the faithful, united with their Bishop and having access to God the Father through the Son, the Word incarnate, who suffered and was glorified, in the outpouring of the Holy Spirit, attain to communion with the most holy Trinity, having been made "partakers of the divine nature" (2 Pet. 1:4). Hence by the celebration of the Eucharist of the Lord in each of these Churches, the Church of God is built up and grows,20 and by concélébration their bonds of harmony are manifested.

In this liturgical worship the Orientals in very beautiful hymns magnify Mary, ever Virgin, whom the Ecumenical Synod of Ephesus solemnly proclaimed to be the most holy Mother of God so that Christ would be acknowledged as being truly and properly the Son of God and the Son of Man according to the scriptures. They also extol many saints in whose number are Fathers of the universal Church.

Since, however, those Churches, even though separated, possess true sacraments and particularly, in virtue of the apostolic

2,1 Cf. S. Ioannes Chrysostomus: *In Ioannem Ioniilia, PG* 59:260-262.

succession, the priesthood and the Eucharist whereby they are still joined to us by the closest ties, some participation in divine worship, supposing suitable circumstances and approval by ecclesiastical authority, is not only possible but even recommended.

In the East are also found the riches of those spiritual traditions which are given expression especially in the monastic life. For there, even from the glorious age of the holy Fathers, has flourished that monastic spirituality which later flowed over to the West and from which the institution of religious life in the Latin Church had its source as from its fountain and thereafter has continually derived new vigor, As a result, it is earnestly recommended that Catholics more frequently have access to these spiritual riches of the Oriental Fathers which lift up the whole man to divine contemplation.

All should know that the knowledge, veneration, conservation, and cherishing of the very rich liturgical and spiritual heritage of the Orientals is of the greatest importance toward the faithful preservation of the fulness of Christian tradition and toward accomplishing the reconciliation of Christians of the East and of the West.

16. Furthermore, right from the earliest times, the Churches of the East followed their own discipline which was sanctioned by the holy Fathers as well as Synods, even ecumenical Synods. Since, however, a certain amount of diversity of usage and custom, as mentioned above, is in nowise an obstacle to Church unity, nay, rather it increases its beauty and helps not a little to discharging its mission, the sacred Synod, in order to dispel all doubt, declares that the Eastern Churches, mindful of the necessary unity of the Church as a whole, have the right to govern themselves according to their own disciplines in as much as they are more consonant with the character of their faithful and more adapted to procuring the good of souls. Perfect observance of that traditional discipline, not always observed, it as true, pertains to those matters which are absolutely required as a prior condition for the restoration of unity.

17. What has been said above about legitimate diversity may in the same wav be declared regarding diversity in theological enunciation of doctrine. For truly in the exploratory study of revealed truth different methods and approaches have been employer! in the East and in the West to gain knowledge of and

to proclaim divine matters. Consequently, it is no wonder that certain aspects of a revealed mystery are sometimes more fittingly perceived and set in a better light by one rather than by the other in such wise that those variant theological formulas must not rarely be said to complement rather than to oppose one another. As to what concerns the authentic theological traditions of the Orientals, it must be acknowledged that they are rooted in Sacred Scripture in a truly extraordinary way, fostered and given expression in their liturgical life, nourished by a living apostolic tradition as well as by the writings of the Oriental Fathers and spiritual writers, and tend to a correct ordering of life, nay more, to the full contemplation of Christian truth.

While rendering thanks to God that many of the Eastern sons of the Catholic Church who preserve this heritage and long to live it more faultlessly and fully, are already living in full communion with brethren observing the Western tradition, this holy Synod declares that this total heritage, spiritual and liturgical, disciplinary and theological, in its diversified traditions, belongs to the full catholicity and apostolicity of the Church.

18. After considering well all these matters, this most sacred Synod repeats what has been declared by previous sacred Councils as well as by Roman Pontiffs, namely, for the restoration or preservation of communion and unity there is need "to lay no further burden upon you beyond the essentials" (Acts 15:28). It also strongly desires that in the various practices and forms of Church life all efforts hereafter be aimed, at the gradual achievement of that unity, especially by prayer and by fraternal dialogue with respect to doctrine and the more urgent necessities of the pastoral office of our time. Likewise it commends to the pastors and the faithful of the Catholic Church the needs of those who no longer live in the East but far from the homeland so that brotherly collaboration with them may increase in a spirit of charity and without any spirit of belligerent rivalry. If this task is wholeheartedly pushed forward, the most sacred Synod hopes that the wall of separation between the Western and the Eastern Church will be removed and that, finally, there will be only one mansion founded on the cornerstone, Christ Jesus, who will make both one.[27]

27 Cf. Cone. Florentinum, Sess. VI (1439), Definitio *Laetentur caeli:* Mansi, 31:1026 E.

II. *Separated Churches and Ecclésial Communities in the West*

19. Churches and ecclesial communities which were separated from the Apostolic See at Rome either at the very serious critical period which had already made its beginning in the West toward the end of the Middle Ages or at later times, are linked with the Catholic Church by special affinity and ties as a result of the long life of Christian peoples lived out in ecclesiastical communion in past centuries.

However, since these Churches and ecclesial communities differ greatly not only from us but also among themselves because of diversity of origin, doctrine, and spiritual life, it is an extremely difficult task to describe them fairly and we do not intend to attempt it here.

Although the ecumenical movement and the desire of peace with the Catholic Church has not yet taken hold everywhere, it is our hope that ecumenical consciousness and mutual esteem will gradually increase in all.

And yet it must be acknowledged that between these Churches and communities and the Catholic Church there exist differences of great importance, not only of an historical, sociological, psychological, and cultural nature but especially in the interpretation of revealed truth. However, in order to make it more easily possible to set up ecumenical dialogue despite those differences, we wish, in what follows, to bring out certain points which can and ought to provide a basis and stimulus for dialogue.

20. Our attention turns first to those Christians who openly confess Jesus Christ as God and Lord and as the one and only mediator between God and men to the glory of the one God, Father, Son, and Holy Spirit. We realize indeed that there exists grave disagreement with the doctrine of the Catholic Church even as regards Christ, the incarnate Word of God, and the work of redemption, and, as a result, as regards the mystery and the ministry of the Church and the role of Mary in the work of salvation. On the other hand, we are happy to see our separated brethren looking to Christ as the source and center of ecclesiastical communion. Moved by a desire for union with Christ, they are drawn on to seek unity more and more and also to bear witness to their faith among the peoples everywhere.

21. Love and veneration as well as a quasi-cult of Sacred

Scripture lead our brethren on to constant and skillful study of the sacred page: for the gospel "is the power of God unto salvation to everyone who believes, to Jew first and then to Greek" (Rom. 1:16).

Invoking the Holy Spirit, they search into the Sacred Scripture itself for God speaking to them, as it were, in Christ who was foretold by the prophets and who is the Word of God made flesh for us. In Scripture they contemplate the life of Christ and what the divine Master taught and did for the salvation of mankind, especially the mysteries of His death and resurrection.

However, when the Christians separated from us affirm the divine authority of the sacred books, they hold an opinion different from ours — some one way, some another — regarding the relationship between Scripture and the Church. According to the Catholic faith, the authentic teaching body in the Church holds a special position when it comes to expounding and preaching God's written word.

Nevertheless, in dialogue itself the sacred words are an excellent instrument in the powerful hand of God for the attainment of that unity which the Savior holds out to all men.

22. By the sacrament of baptism, whenever it is duly conferred as instituted by our Lord and is received with proper disposition of soul, a man is truly incorporated into the crucified and glorified Christ and is born anew to a participation in the divine life according to that saying of the Apostle: "You were buried together with Him in baptism, and in Him also rose again through faith in the working of God who raised Him from the dead" (Col. 2:12).[28]

Baptism, therefore, constitutes a sacramental bond of unity linking all who have been reborn through it. And yet baptism of itself is only a beginning and an introduction because, in fact, its totality is directed to the acquisition of fulness of life in Christ. Consequently, baptism is ordered to a complete profession of faith, to complete incorporation into the plan of salvation as Christ Himself willed it, and, finally, to complete association into Eucharistic fellowship.

Although the ecclesial communities separated from us lack the full unity with us which derives from baptism, and although

28 Cf. Rom. 6:4.

we believe that they have not preserved the genuine and complete substance of the Eucharistic mystery, particularly because of the absence of the sacrament of Orders, nevertheless, when they commemorate the death and resurrection of our Lord in the holy banquet, they make profession that it signifies life in communion with Christ and they await His glorious coming. As a result, doctrine regarding the Lord's Supper, the other sacraments, worship, and the ministries of the Church should constitute topics for dialogue.

23. The Christian way of life of these brethren is nourished by faith in Christ and is supported by the grace of baptism and by hearing the word of God. It is manifest, for example, in their private prayer, their meditation on the bible, their Christian family life, and in the worship by the community assembled to praise God. In other respects their worship sometimes exhibits striking elements of the common ancient liturgy.

Their faith in Christ bears fruit in their praise and thanks for the benefits received from God. They have a live sense of justice and sincere charity for the neighbor. Now this active faith has also produced many organizations for the relief of spiritual and bodily distress, for the furtherance of education of youth, for the betterment of social living conditions, for the establishment of peace in the whole world.

Even if many Christians do not always interpret the gospel in moral matters in the same way as Catholics nor espouse the same solutions to the more difficult problems of modern society, nevertheless, like ourselves, they want to stand fast by the word of Christ as the source of Christian virtue and to obey the precept of the Apostle: "Whatever you do in word or in work, do everything in the name of the Lord Jesus, giving thanks to God the Father through Him" (Col. 3:17). From this starting point ecumenical dialogue can take a beginning concerning the application of the gospel in the moral order.

24. Having thus briefly set forth the conditions under which ecumenical activity can be engaged in and the principles for its direction, we look confidently to the future. This most sacred Synod exhorts the faithful to restrain themselves from shallowness or imprudent zeal which could bring harm to true progress toward unity. Indeed, their ecumenical activity cannot be other than fully and sincerely catholic, that is, faithful to the truth

which we have received from the Apostles and the Fathers, and consonant with the faith which the Catholic Church has always professed, and at the same time aiming at that fulness with which our Lord wishes His Body to grow in the course of time.

This most sacred Synod urgently desires that the undertakings of the sons of the Catholic Church should proceed conjointly with the undertakings of our separated brethren without placing any obstacle in the way of Providence and without prejudice to future inspiration by the Holy Spirit. Moreover, the Synod declares that it is aware that this holy objective of reconciling all Christians in the unity of the one and only Church of Christ goes beyond human power and capacity. Consequently, it places all its hope in the prayer of Christ for the Church, in the love of the Father for us, and in the power of the Holy Spirit: "Hope, however, does not disappoint because the charity of God is poured forth in our hearts by the Holy Spirit who has been given to us" (Rom. 5:5).

Each and every one of these points proclaimed in this decree was approved by the Fathers. And We, by the apostolic power granted to Us by Christ, together with the Venerable Fathers, approve, decree, and establish them in the Holy Spirit and order that what has been thus set down by the Synod, be promulgated to the glory of God.

At Rome, at St. Peter's, the twenty-first day of November, in the year 1964.

I, Paul, Bishop of the Catholic Church

(The signatures of the Fathers follow.)

AAS 57-90; Cone. Vat. II., Decree, 21 Nov., 1964. Annotations in *The. Catholic Mind,* 62 (Sept., 1964)-22-29 (Baum) ; *La Documentation Catholique, 62* (1965) 147-169 (Bea); *Irish Theol. Quarterly, 32* (1965)-129-161. 246-251 (McNamara, McDonough. Good, Vokes, Kelly); *Nouvelle Revue Théol.,* 87 (1965)-225–244 (Thils). For a specification of the norms of this decree to a particular territory, see the St. Louis *Archdiocesan Directory on Ecumenism* reported in full in *The Jurist,* 25 (1965)-490-502.

Ecumenism: Right and Wrong Methods (Paul VI, 20 Jan., 1965) AAS 57-244.

In the regular weekly audience of 20 January, 1965, during the Christian Unity Octave, Paul VI spoke on the right and the

wrong ways of promoting unity. We translate the principal passages of the address from the original Italian in the *Acta Apostolicac Scdis.*

We do not wish to speak today of these difficulties (to reunion), but instead to point out a temptation which can easily come to good people, suggesting an attitude which is not good nor effective for removing the greatest difficulties of all, namely, the doctrinal ones. This is the temptation to put aside the controversial points; to conceal, to weaken, to modify, to empty of their meaning, even if necessary to deny those teachings of the Catholic Church which are not accepted today by our separated brethren. This, We say, is an easy temptation, because it may seem a small matter to minimize or to put aside certain truths, certain dogmas, which are subjects of controversy, in order to attain more readily the union we desire so ardently. But in reality the Christian faith is divine truth, which we have not the power to change, but only to ascertain and accept for our salvation.

This device deceives not only those who are unlearned in theology; it insinuates itself even among expert theologians, who. often enough in good faith, are seeking some rational expedient to smoothe the way for meeting our separated brethren. The intention is good, but the method is not.

That Catholics should recognize whatever is good at the present time in the heritage of the Christian Churches and confessions separated from our Church, is well. That they should present Catholic doctrine in its authentic and essential aspects, prescinding from elements which are debatable and unessential, is well. That they should try to present controverted points in terms that render them more exact and intelligible even to persons who do not share our acceptance of their truth — this too is weil. But to pretend to remove doctrinal difficulties by trying to discredit their authority, or to put them aside, or to conceal declarations which the magisterium of the Church presents as binding and definitive, is not a good service. It is not a good service to the cause of union because it creates in our separated brethren distrust, a suspicion that they are being tricked, or it arouses the expectation of possibilities that cannot be realized. Moreover, in the Church itself it injects the fear that union is being sought at the expense of indisputable truths; and it arouses the

suspicion that dialogue is turning to the disadvantage of sincerity, loyalty, and truth.

AAS 57-244; Paul VI, Allocution, 20 Jan., 1965. The full English text is in *The Pope Speaks,* 10 (1964–65)–142–144.

Ecumenism: Interim Guidelines (U. S. Bishops' Commission for Ecumenical Affairs, 18 June, 1965) Private.

The following is the full statement released by the Commission on 18 June, 1965. The title is "Interim Guidelines for Prayer in Common and *Communicatio in Sacris.*"

The Decree on Ecumenism of the Second Vatican Council[1] speaks of change of heart, holiness of life and prayer for unity as the "soul" of the ecumenical movement (II, 8). The Bishops' Commission for Ecumenical Affairs, while taking steps to engage in dialogue and common action with the representatives of other churches, realizes that the question of prayer in common and *communicatio in sacris* is the most pressing of its tasks.

In presenting recommendations for common worship and prayer, the Bishops' Commission recognizes that it is the local bishop who has the authority to make dispositions in this matter. The Secretariate for the Promotion of Christian Unity will, in time, present a directory for the practice of ecumenism which will be applicable throughout the universal Church. In the absence of such a directory and in the absence of legislation enacted by the Episcopal Conference of the United States, the Bishops' Commission for Ecumenical Affairs offers the following recommendations for the interim for the bishops of the United States.

I. Diocesan Ecumenical Commissions

In guiding the course of ecumenism within their own dioceses, especially in presenting guidelines for prayer and *communicatio in sacris,* it is highly recommended that local bishops establish diocesan ecumenical commissions. Among the members of these commissions it would be desirable to include priests, religious, and members of the laity who, by reason of their expert knowledge, can contribute to the work of the commissions, and who are also representative of the local churches. As the involvement of

[1] Reported above, p. 687.

Catholics in dialogue, in joint action and in prayer with other Christians increases, such commissions could be of inestimable value to the local bishops.

In drawing up directives for *communicatio in sacris* and prayer in common it is desirable to consult with other diocesan agencies such as the diocesan liturgical commission, and with leaders of the other churches of the community. The president and executive secretary of the local Council of Churches, for example, might be consulted before issuing regulations for the diocese.

II. Prayer in Common between Catholics and Christians of Other Churches

(After quoting the first three paragraphs of number 8 from Chapter II of the Decree — reported above under this same canon 1258, the Guidelines continue as follows:)

In accordance with number 8 of the Decree on Ecumenism, the participation of Catholics with other Christians in services that are not part of the official liturgies of any communion is highly desirable, providing these services are devoted to the cause of Christian unity. Such services could fittingly be called "ecumenical services." Participation of Catholics in such services, whether they are held for the sake of promoting Christian unity in accordance with the Decree or. in the spirit of the Decree, for some other purpose (for peace, in time of public need, mourning, thanksgiving, etc.) remains under the guidance of the local bishop.

The place chosen for the conduct of these ecumenical services should provide a worthy setting which is acceptable to all the participants and which, according to the prudent decision of the local bishop, is considered suitable.

With the approval of the local bishop, priests are to be encouraged to take an active part in the conduct of services, for example, by reading Scripture lessons, preaching homilies, offering prayers and giving blessings.

The vesture to be worn at such services is also to be determined by the local Bishop. In some circumstances, ordinary civil attire may be the only appropriate form of dress for the participating priest. In other circumstances, since it is in accordance with Catholic usage even in the conduct of nonliturgical services, the use of the cassock and surplice may be considered. Another form of dress which is neither liturgical nor merely civil, namely,

the use of the *jerraiuolo,* may also be desirable on certain occasions. The value of some kind of "sacred" vesture is not to be underestimated in creating the right atmosphere for prayer in common. In reaching decisions concerning ecclesiastical vesture on these occasions, it is highly recommended that there be consultation with the clergy of the other church bodies that are to participate in such services.

On occasion, members of the Catholic laity may also be invited to take an active part in ecumenical services. The}' may, for example, be called upon to read the Scripture lessons. Under the guidance of the local bishop, who may well wish to consult his ecumenical commission regarding the qualifications of the laity invited to take these leading roles, such participation on the part of laymen has much to recommend it. The acceptance of such a policy could become one more manifestation of the Church's doctrine on the laity as found in the Constitution on the Church.

In preparing for and conducting these ecumenical services the principle of "reciprocity" should be kept in mind: to accept an invitation may often seem to entail an obligation to extend a similar invitation; and to proffer an invitation may imply a readiness to receive one. One should not, therefore, accept an invitation if, according to Catholic norms, one cannot proffer a similar invitation.

All such joint services of prayer should be carefully prepared in accordance with the principle of "collaboration." The leaders of the participating groups should, after careful consideration, agree on the format of the services and on the choice of themes, Scripture readings and hymns. Prayers and hymns and homilies which may be unacceptable either to Catholics or to other Christians are to be avoided.

These ecumenical services, it is hoped, will complement the programs for unity which continue in our churches.

HI. Communicatio in Sacris

(Here again the Guidelines begin by quoting from the Decree on Ecumenism. After reproducing the text of the third paragraph of n. 8 from Chapter II of the Decree, the Guidelines continue as follows:)

1) *Participation of Christians of other Churches in the Liturgy of the Catholic Church.*

Christians of other communions should be made welcome in attending Catholic liturgical celebrations. It is recommended, however, that great care be taken in issuing general invitations. The sensibilities of other ecclesial communities on proselytizing should also be respected in extending such invitations. It would be well to consult with leaders of other churches in formulating them. It is also worthy of note that general invitations may evoke invitations of a similar nature from other church bodies.

Baptist)! and Confirmation. From the nature of the office of sponsor, Christians of other communities may not be invited to act as sponsors at baptism and confirmation. The sponsor does not act only as a friend of the family nor only as one who promises to provide for the Christian education of the person to be baptized or confirmed, but also as a representative of the community of the Catholic faithful. As a representative of the community the sponsor stands as guarantor of the faith of the candidate he presents. A Christian not of our communion cannot be asked to assume this role.

Holy Eucharist. The Eucharist is the sign and, at the same time, the cause of the unity of the Church, the restoration of Eucharistic communion is the goal of our ecumenical effort. At the present time, however, except in particular cases of members of the Eastern Orthodox Church,[2] intercommunion with Christians in other denominations should not be permitted. Our separation is most keenly felt at the table of the Lord, and the sense of sorrow awakened by a deep realization of the meaning of this tragic separation should in itself provide a powerful stimulus to ecumenical concern among our people.

When, however, Christians of other communions are present at the Sacrifice of the Mass in our churches, they may be invited to join, if they so desire, in the dialogue, in the recitation of prayers and in the singing of hymns. Christians of other churches may not. however, be invited to assume roles of leadership within the assembly, for example, that of lector.

One of the great achievements of the Second Vatican Council is (he Constitution on the Sacred Liturgy, and one of the most important emphases found in this document is that concerning the

2 Decree on the Catholic Churches of the Eastern Rite, 26-29; reported above, pp. 16 17; Decree on Ecumenism. 111. 15, reported above, pp. 700 701.

homily of the Mass, Art. 52.[3] The homily is an integral part of the liturgy and normally will be given by the celebrating bishop or priest. In breaking the bread of doctrine the homilist speaks on behalf of the local bishop and, in a sense, on behalf of the entire episcopal college. A clergyman of another communion cannot be asked to accept such a role.

Following the example of the liturgy of Good Friday, it is recommended that public prayers for Christians of other communions be admitted within the liturgical celebrations. It is recommended, for example, that, when the presiding priest judges it appropriate, the names and intentions of Christians of other communions be included within the Prayer of the Faithful.

Holy Orders. In the conferral of Holy Orders Christians of other communions must not be invited to take leading roles. For reasons of friendship or courtesy, however, they may be invited to be present.

Matrimony. Christians of other churches may be admitted as witnesses and attendants at the celebration of matrimony within the Catholic Church.

For the celebration of marriage between Catholics and Christians of other communions it is highly recommended that sacred rites be used according to the *Collectio Rituum* of 1964 and that the officiating priest be vested in cassock, surplice, and stole.

It is not recommended that clergymen of other communions be invited to take an active role in the ceremony.

Funerals. It is recommended that, when requested by the family of the deceased, priests be permitted to conduct funeral services and to lead prayers at wakes for those not of our Church. It is for the local bishop to determine what rites are to be used on these occasions. In such circumstances burial in Catholic cemeteries may be permitted to those not of our communion, especially to spouses and relatives of Catholics. On the occasion of burials in Catholic cemeteries of those who were not Catholics, it is also recommended that clergymen of other churches be permitted to conduct graveside services.

Sacramentals. The sacramentals of the Church may be given to those not of our communion who desire to receive them.

[3] Reported above, p. 45.

2) *Participation oj Catholics in the Official Worship oj other Churches*

The Decree on Ecumenism does envisage *communicatio in sacris,* that is, the participation of Catholics, under the supervision of the local bishop, in the liturgy of other communions (II, 8). Catholics may attend official services of other churches which have special civic or social significance, especially weddings and funerals. It should be remembered, however, that the Decree on Ecumenism makes repeated recommendations for caution, and states that "worship in common *(communicatio in sacris)* is not to be considered as a means to be used indiscriminately for the restoration of unity among Christians."

Baptism and Confirmation. Catholics may not act as sponsors at the conferral of baptism or confirmation in churches not of our communion; for reasons of friendship or courtesy, however, they may be present at these ceremonies.

Holy Eucharist. Catholics, accepting Eucharistic separation from their brothers of other churches in a penitential spirit and bearing in mind the principles mentioned above concerning the restoration of Eucharistic communion, may not participate in the Eucharistic celebrations of other churches. For reasons of friendship or courtesy, however, they may be present at these services.

Catholic priests, remembering the Church's view regarding the homily at Holy Mass, may not accept invitations to preach during the Eucharistic celebrations of other churches.

Holy Orders. Catholics may not take an active role in the ordination ceremonies of other churches. Invitations to be present for these ceremonies, with the approval of the local bishop, may be accepted for reasons of friendship or courtesy.

Matrimony. Catholics, under the guidance of the local bishop, may be permitted to serve as witnesses at marriages which are celebrated in churches of other communions.

Catholics should be mindful, of course, that attending services in other churches is not a substitution for nor fulfillment of their obligation to participate in the celebration of Holy Mass on Sunday and days of precept.

IV. *Communicatio in Sacris* and Relations with the Eastern Orthodox Church

With regard to *communicatio in sacris* with the Eastern Orthodox Church, the Decree on Ecumenism (III, 15) reads: "These Churches although separated from us, yet possess true sacraments, above all — by apostolic succession — the priesthood and the Eucharist, whereby they are still joined to us in closest intimacy. Therefore some worship in common *(communicatio in sacris),* given suitable circumstances and the approval of church authority, is not merely possible but is encouraged."

The Decree on the Catholic Churches of the Eastern Rite (Art. 26-29) established a new "conciliatory policy with regard to *communicatio in sacris* with the brethren of the separated Eastern Churches." Article 29 places the supervision of this policy in the care and control of local bishops. Tt encourages combined consultation on the part of these bishops and, if need be. consultation with the bishops of the Orthodox Churches.

The fulfillment of these articles is a matter of the utmost delicacy, and the members of the Bishops' Commission for Ecumenical Affairs agree that there should be consultation concerning this matter with the ecclesiastical authorities of the Orthodox Churches. A subcommission has been established by the Bishops' Commission under the chairmanship of the Most Reverend Bernard J. Flanagan. Bishop of Worcester, and it will be among the tasks of this subcommission to explore, together with the representatives appointed by the bishops of the Orthodox Church, this difficult question of *communicatio in sacris.*

V. Conclusions

Throughout this statement of recommendations, it should be noted, frequent reference has been made to the role of the local bishop in guiding the practice of ecumenism within his diocese. This emphasis is, the members of the Bishops' Commission for Ecumenical Affairs are convinced, in accord not only with the Decree on Ecumenism but also with the spirit of the Constitution on the Church (III. 25-27) and the Constitution on the Sacred Liturgy (Art. 22, 41-42).

The unity of the Church is a "sacred mystery" and "the highest exemplar and source of this mystery is' the unity, in the

Trinity of Persons, of one God, the Father and the Son in the Holy Spirit" (Decree on Ecumenism, I, 2). In offering these recommendations, the members of the Bishops' Commission for Ecumenical Affairs are guided by this vision of unity as a "mystery" and consequently share a conviction that Catholic participation in ecumenism must move beyond dialogue, programs of education, and cooperation in social matters, to "spiritual ecumenism."

The renewal of the Church, and especially of the sacred liturgy, which is the concern of the Second Vatican Council, will, it is hoped, prepare our people for participation in the ecumenical movement and for prayer in common with other Christians. It is confidently expected that the annual observance of the Week of Prayer for Christian Unity, together with other programs of prayer, following the spirit of the renewed liturgy, will be extended and intensified in our churches. Our confidence in the efficacy of such prayer is based on the words of Our Lord, "For where two or three are gathered together in my name, there am I in the midst of them" (Mt. 18, 20).

At the first Eucharist, in the moments which preceded His passion and death, the Lord addressed Himself to His Father in His priestly prayer for unity. This prayer of Christ has become the prayer of the Church not only when these words are read and listened to, but above all when the Church celebrates the Eucharist. While the Pilgrim Church awaits the return of the risen Christ and the final consummation of all things in Him. the Eucharist remains the great sign and cause of the mysterious unity of the Church, and it is hoped that the Holy Sacrifice will be offered frequently for the cause of Christian unity.

Tn all of these endeavors which we describe as ecumenical — in dialogue, in giving common witness to the world, and in common prayer — we find the assurance we seek and require, in the words of Christ's prayer: "That they all may be one; even as thou, Father art in me. and I in thee, that they also may be one in us, so that the world may believe that thou hast sent me." (Jn. 17, 21).

(Private); U. S. Bishops' Commission for Ecumenical Affairs, IS June, 1965. *Catholic Mind* 63 (Oct., 1965)-57-64.

Ecumenism: Guidelines or Directory (Sec. Christ. Unit., 14 May, 1967) AAS 59-574.

This document, issued by' the Secretariat for Christian Unity on 14 May, 1967, over the signatures of Cardinal Bea, President, and Bishop Willebrands, Secretary, after having been approved and confirmed by Pope Paul VI in an audience of 28 April, begins with the words *"Ad totam Ecclesiam"* and in the official text bears the following heading.

DIRECTORY

for Implementing the Decrees Promulgated by the Second Vatican Council on Ecumenism

PART I

Introduction

"The restoration of union is the concern of the whole Church, faithful and clergy alike. This concern extends to everyone according to his own ability" (Decree on Ecumenism,[1] *Unitatis redintegratio,* η. 5). The Ecumenical Handbook is being published to encourage and guide this concern for unity, so that what was promulgated in this field by the decrees of the Second Vatican Council may be better put into practice throughout the Catholic Church. This must be done in a manner faithful to the mind of the Church. "Ecumenical action must be fully and sincerely Catholic, which means faithful to the truth which we have received from the Apostles and Fathers, and in harmony with the faith that the Catholic Church has always professed, and at the same time directed toward that fullness that our Lord wants to see His Body take on in the course of time" (/6/7/., n. 24).

2. The Decree on Ecumenism insists in a number of places that it is the business of the Apostolic See and the Bishops, with due regard for the rights of Patriarchs and their synods, to decide ecumenical policy after taking all circumstances into account (cf. Decree on Ecumenism, nn. 4, 8. 9). Proper care must be taken in these matters so that the ecumenical movement itself is not impeded and the faithful do not suffer harm due to the

[1] Reported above, pp 687-706.

danger of false irenicism or indifferentism. This is a pastoral care, which will be the more effective as the faithful become more solidly and fully instructed in the teaching and authentic tradition both of the Catholic Church and of the Churches and Communities separated from her. Against the dangers and harm that may arise, this accurate knowledge of teachings and traditions will be a better safeguard than the kind of ignorance which is often reinforced by false fear: fear of those adjustments which, in accordance with the spirit and decisions of the Second Vatican Council, are necessary to any genuine renewal of the Church.

Ecumenical movement begins with the renewal by which the Church expresses more fully and perfectly the truth and holiness which comes from Christ our Lord. Everyone of the faithful, as a member of the Church, should share in this renewal in truth and charity, so as to grow in faith, hope and charity and bear witness in the Church to God and our Savior Jesus Christ by his own Christian life.

Since this movement has been set in motion by the Holy Spirit (cf. Decree, n. 4), what follows here is put forward with the intention and in a manner to be of service to the Bishops in putting into effect the Decree .on Ecumenism "without obstructing the ways of Divine Providence or prejudicing the future inspirations of the Holy Spirit" *{Ibid.,* n. 24).

I. The Establishment of Ecumenical Commissions

A. *The Diocesan Commission*

3. It seems very suitable to set up a council, commission or secretariat, either for several dioceses grouped together or, where circumstances call for it. in each diocese, charged by the episcopal conference or the local Ordinary with promoting ecumenical activity. Tn those dioceses which cannot have their own commission there should at least be one person delegated by the Bishop for these duties.

4. This commission should cooperate with such ecumenical institutions or enterprises as already exist or may be launched, making use of their help where occasion offers. It should also be prompt to help other diocesan work and individual initiative by exchanging information and ideas with those concerned, to mutual advantage. This should all be done in harmony with the principles and general norms already existing in this matter.

5. To make clearer and foster better the concern for unity which belongs to the Church as a whole, the commission should, where possible, include among the members not only diocesan clergy but also religious of both sexes and suitable laymen and women.

6, Besides the other functions assigned to it, the commission should :

g) Put into practice according to local situations the decisions of Vatican Council II on ecumenical affairs;

/>) Foster spiritual ecumenism according to the principles laid down in the Decree on Ecumenism — especially in n. 8 —-about public and private prayer for the unity of Christians;

c) Promote friendliness, cooperation and charity between Catholics and their brothers who are not in their communion;

(I) Initiate and guide dialogue with them, bearing in mind the adaptation to be made to the types of participants according to nn. 9 and 11 of the Decree on Ecumenism.

c) Promote in common with our separated brethren joint witness to the Christian faith as well as cooperation in such areas as. for example, education, morality, social and cultural matters, learning and the arts, according to n. 12 of the Decree on Ecumenism (Cf. also the Decree on the Church's missionary activity, *Ad gentes divinitus,* η. 15).

/) Appoint experts to undertake discussions and consultations with the other Churches and Communities in the diocese:

g) Offer help and encouragement for the instruction and education to be given to clergy and laity and for conducting one's life in an ecumenical spirit, with special emphasis being given to preparing seminary students, to preaching, catechetics and other kinds of teaching dealt with in the Decree on Ecumenism, n. 10;

/z) Maintain relations with the territorial ecumenical commission. adapting the latter's advice and recommendations to local diocesan conditions. In addition, when circumstances suggest, useful information should be sent to the Secretariat for Promoting Christian Unity in Rome, which can help the latter in carrying on its own work.

B. *The Territorial Commission*

1. Each national episcopal conference[2] and also those which, according to circumstances, include more than one nation, should establish in accordance with its own statutes a commission of Bishops for ecumenical affairs, assisted by experts. This commission should have a mandate from the episcopal conference of the territory to give guidance in ecumenical affairs and determine concrete ways of acting in accordance with the Decree on Ecumenism and with other ordinances and legitimate customs, taking account of the time, place and persons they are concerned with, but also of the good of the universal Church. If possible this commission should be assisted by a permanent secretariat.

8. The functions of this commission will include all those listed under n. 6, insofar as they relate to the competence of a territorial episcopal conference. In addition, it should carry out other tasks, some examples of which are given here:

<?) Putting into practice the rules and instructions issued by the Apostolic See in these matters;

b) Giving advice and assistance to Bishops who are organizing ecumenical commissions in their own dioceses:

c) Giving spiritual and material help where possible both to existing ecumenical institutions and to ecumenical enterprises to be promoted in the field of instruction and research or in that of pastoral care and the promotion of Christian life according to the principles set out in the Decree on Ecumenism, nn. 9. 10, 11.

rf) Establishing dialogue and consultation with leaders and ecumenical councils of the separated Churches and Communities which exist on a national or territorial (as distinct from diocesan) scale;

r) Appointing those experts who by a public mandate of the Church are designated for the conversations and consultations with experts of the communities referred to under rf) above.

/) Establishing, if need be. a special subcommission for ecumenical relations with the Oriental Churches:

e) Maintaining relations between the territorial hierarchy and the Holy See.

-*Official note:* References in this Directory to episcopal conferences apply also, with due consideration for the requirements of law, to the patriarchal synods and synods of major archbishops in the Catholic Oriental Churches

II. The Validity of Baptism Conferred by Ministers of Churches and Ecclésial Communities Separated from Us

9. The Church's practice in this matter is governed by two principles: that baptism is necessary for salvation, and that it can be conferred only once.

10. The ecumenical importance of baptism is clear from documents of the Second Vatican Council: "He Himself (Jesus Christ) in explicit terms insisted upon the necessity for faith and for baptism (cf. Mark 16: 16: John 3: 5), and thus at the same time affirmed the necessity for the Church, which men enter through baptism, the gateway as it were" (Dogmatic Constitution on the Church, *Lumen Gentium,* n. 14).

"The Church recognizes that it is linked on many counts with those who are baptized and bear the name of Christian, but do not profess the faith in its entirety nor preserve unity of fellowship under Peter's successor" *{Ibid.,* n. 15).

''Those who believe in Christ and have been truly baptized have a certain degree of communion with the Catholic Church, even though imperfect. . . . All those who have been justified from faith in baptism are incorporated into Christ, and so have a right to be called Christians and are with good reason acknowledged as brothers in the Lord by the sons of the Catholic Church" (Decree on Ecumenism, n. 3).

"On the other hand. Catholics ought to be glad to acknowledge and show esteem for the truly Christian endowments deriving from our common heritage, that are to be found among our separated brethren" *{Ibid.,* n. 4).

11. Baptism is. then, the sacramental bond of unity, indeed the foundation of communion among all Christians. Hence its dignity and the manner of administering it are matters of great importance to all Christ's disciples. Yet a just evaluation of the sacrament and the mutual recognition of each other's baptisms by different Communities is sometimes hindered because of a reasonable doubt about the baptism conferred in some particular case. To avoid difficulties which may arise when some Christian separated from us, led by the grace of the Holy Spirit and by his conscience, seeks full communion with the Catholic Church, the following guiding principles are set forth.

12. There can be no doubt cast upon the validity of baptism as conferred among separated Oriental Christians? It is enough, therefore, to establish the fact that baptism was administered. Since in the Oriental Churches the sacrament of confirmation (Chrism) is always lawfully administered by the priest at the same time as baptism, it often happens that no mention is made of confirmation in the canonical testimony of baptism. This does not give grounds for doubting that the sacrament was conferred.

13. In respect to other Christians, a doubt can sometimes arise:

a) Concerning matter and jorrn. Baptism by immersion, pouring or sprinkling, together with the Trinitarian formula, is of itself valid (Cf. canon 758). Therefore, if the rituals and liturgical books or established customs of a Church or Community prescribe one of these ways of baptizing, doubt can arise only if it happens that the minister does not observe the regulations of his own Community or Church. What is necessary and sufficient, therefore, is evidence that the minister of baptism was faithful to the norms of his own Communitv or Church.

For this purpose generally one should obtain a written baptismal certificate with the name of the minister. In many cases the other Community may be asked to cooperate in establishing whether or not in general or in a particular case, a minister is to be considered as having baptized according to the approved ritual.

b) Concerning faith and intention. Because some consider that insufficiency of faith or intention in the minister can create a doubt about baptism, these points should be noted:

The minister's insufficient faith never of itself makes baptism invalid.

Sufficient intention in a baptizing minister is to be presumed unless there is serious ground for doubting that he intends to do what Christians do (See Response of the Holy Office. 30 Jan., 1833: "It is sufficient to do what Christians do": Sacred Congregation of the Council, Decree approved by Pius V, 19 June, 1570, cited by the Provincial Council of Evreux, France, 1576).

c) *Concerning the application oj the matter.* Where doubt

» *Official note:* With regard to all Christians, consideration should he given to the danger of invalidity when baptism is administered by sprinkling, especially of several persons at once.

arises about the application of the matter, both reverence for the sacrament and respect for the ecclesial nature of the other Communities demand that a serious investigation of the Community's practice and of the circumstances of the particular baptism be made before any judgment is passed on the validity of a baptism by reason of its manner of administration (Cf. canon 737, § 1).

14. Indiscriminate conditional baptism of all who desire full communion with the Catholic Church cannot be approved. The sacrament of baptism cannot be repeated (cf. canon 732, § 1). and therefore to baptize again conditionally is not allowed unless there is prudent doubt of the fact, or of the validity, of a baptism already administered (See Council of Trent, Sess. VII, can. 4: Code of Canon Law, canon 732, § 2).

15. If after serious investigation as to whether the baptism was properly administered, a reasonable doubt persists, and it is necessary to baptize conditionally, the minister should maintain proper regard for the doctrine that baptism is unique: o) by suitably explaining both why he is in this case baptizing conditionally'· and what is the significance of the rite of conditional baptism, and *b)* by carrying out the rite according to the private form.

16 The whole question of the theology· and pratice of baptism should be set forth in dialogue between the Catholic Church and the separated Churches or Communities. It is recommended that ecumenical commissions should hold such discussions with Churches or councils of Churches in various regions and, where convenient, come to a common agreement in this matter.

17. Out of reverence for the sacrament of initiation which the Lord instituted for the new covenant, and in order to clarify what is necessary for its proper administration, it is most desirable that dialogue with our separated brethren be not restricted to the sole question of what elements are absolutely necessary'· for valid baptism. Attention should also be given to the fullness of the sacramental sign and of the reality signified (or *res sacramenti),* as these emerge from the New Testament; this will make it easier for Churches to reach an agreement on mutual recognition of baptism.

18. Placing a proper value on the baptism conferred by ministers of Churches and ecclesial Communities separated from

us has ecumenical importance; baptism is thereby really revealed as the "sacramental bond of unity that links all those who have been reborn by it." (Decree on Ecumenism, n. 22; Dogmatic Constitution on the Church, n. 15. See also Report of the Mixed Commission between the Roman Catholic Church and the World Council of Churches Oss. *Rom.,* Feb. 20, 1966, p. 7; Report of the Fourth International Conference on Faith and Order. Montreal, 1963, nn. **III,** 113, 154.) Therefore it is to be hoped that all Christians will grow continually more reverent and faithful in their regard for what the Lord instituted concerning its celebration.

19. The Decree on Ecumenism makes clear that the brethren born and baptized outside the visible communion of the Catholic Church should be carefully distinguished from those who, though baptized in the Catholic Church, have knowingly and publicly' abjured her faith. According to the Decree, "Those who are now born into Communities of this kind and are imbued with the faith of Christ cannot be accused of the sin of separation *(Ibid.,* n. 3). Hence, in the absence of such blame, if they freely wish to embrace the Catholic faith, they have no need to be absolved from excommunication, but after making profession of their faith according to the regulations set down by the local Ordinary, they should be admitted to the full communion of the Catholic Church. What canon 2314 prescribes is applicable only to those who, after culpably giving up the Catholic faith or communion, repent and ask. to be reconciled with Mother Church.

20. What has just been said of absolution from censures obviously applies for the same reason to the abjuring of heresy.

III. Fostering Spiritual Ecumenism in the Catholic Church

21. "This change of heart and holiness of life, along with public and private prayer for the unity of Christians, should be regarded as the soul of the whole ecumenical movement, and can rightly be called spiritual ecumenism" *(Ibid.,* n. 8).

In these few words the Decree defines spiritual ecumenism and stresses its importance in order that Christians may, both in prayer and in the celebration of the Eucharist, and indeed in their entire daily life, carefully keep in view the aim of unity. Every Christian, even though he does not live among separated

brethren, always and everywhere has his part in this ecumenical movement, through restoring the whole Christian life accordin? to the spirit of the Gospel, as has been taught by the Second Vatican Council, leaving out nothing of the common Christian heritage (Cf. Decree on Ecumenism, n. 6; Decree on the Missionary Activity of the Church, n. 36).

22. It is fitting that prayers for unity be offered regularly at fixed times, for example:

a) The week of January 18-25, called the Week of Prayer for Christian Unity, in which many Churches and Communities often join in praying to God for unity;

b) 'The days from Ascension to Pentecost, which commemorate the community at Jerusalem waiting and praying for the coming of the Holy Spirit to confirm them in unity and universal mission.

Additional examples are:

a) the days around Epiphany, when we commemorate the manifestation of Christ in the world and the link connecting the Church's function with unity;

b) Maundy Thursday, when we commemorate the institution of the scarament of unity, and Christ our Savior's prayer in the cenacle for the Church and for her unity;

r) Good Friday, or on the feast of the Exaltation of the Holy Cross, when we commemorate the mystery of the Holy Cross, by which the scattered sons of God are reunited;

d) Easter, when all Christians share with one another the joy of our Lord's resurrection;

e) On the occasion of meetings or other important events of ecumenical origin or particularly likely to serve ecumenical purposes.

23. "It is a recognized custom for Catholics to have frequent recourse to that prayer for the unity of the Church that the Savior Himself used in directing a fervent appeal to His Father on the eve of His death. 'That they all may he one'" (Decree on Ecumenism, n. 8). Therefore let all pray for unity in a way consonant with Christ's prayer at the Last Supper: that all Christians may achieve "that fullness of unity which Jesus Christ wants" *(Ibid.,* n. 4).

24. Pastors should see to it that, as circumstances of places and persons suggest, gatherings of Catholic faithful are arranged

to pray for unity. Since the Holy Eucharist is that marvelous sacrament "by which the unity of the Church is signified and brought about," *(Ibid,.,* n. 2) it is very valuable to remind the faithful of its importance; public prayers for Christian unity should be encouraged at the Eucharistic celebration (for example during the Prayer of the Faithful or in litanies called *Ecteniae),* as well as the celebration of votive Masses for Christian unity. Moreover, those rites which have special liturgical prayers of petition, such as the *Lilia* and *Moleben* and similar supplications, can properly use them to pray for unity.

IV. Sharing of Spiritual Activity and Resources with Our Separated Brethren

A. *Introduction*

25. Fraternal charity in the relations of daily life is not enough to foster the restoration of unity among all Christians. It is right and proper that there should also be allowed a certain "*communicatio in spiritualibus,*" that is, that Christians should be able to share that spiritual heritage they have in common, in a manner and to a degree permissible and appropriate in their present divided state. Of those elements and endowments •'which go together to build up and give life to the Church itself, some, even many, can exist outside the visible boundaries of the Catholic Church" (Decree on Ecumenism, n. 3). These elements "which come from Christ and lead back to Christ belong by right to the Church of Christ" *(Ibid.).* They can contribute appropriately to our petitioning for the grace of unity; they can manifest and strengthen the bonds which still bind Catholics to their separated brethren.

26. But these spiritual endowments are found in different ways in the several Christian communities, and sharing in spiritual activity and resources cannot be independent of this diversity; its treatment must vary according to the conditions of the people, Churches and Communities involved. For present conditions the following guiding principles are offered.

• *Ech >iiac:* the short invocations within the Eucharistic celebration according to the Byzantine liturgies; also recited in the Divine Office. *Lilia:* special evening Office before the most important feasts of the Byzantine liturgies. *Molcben:* short supplications to Christ, the Blessed Virgin and the saints used in paraliturgical ceremonies of the Byzantine rites.

27. There should be a certain give-and-take ("reciprocity") if sharing in spiritual activity and resources, even within defined limits, is to contribute in a spirit of mutual good will and charity to the growth of harmony among Christians. Dialogues and consultations on the subject between Catholic local or territorial authorities and those of other Communities are strongly recommended.

28. In some places and with some communities, sects and persons, the ecumenical movement and the wish for peace with the Catholic Church have not yet grown strong, (cf. Decree on Ecumenism, n. 19), and so this reciprocity and mutual understanding are more difficult. The local Ordinary or if need be the episcopal conference may indicate suitable measures for preventing the dangers of indifferentism and proselytism5 among the faithful in these circumstances. It is to be hoped however that, through the grace of the Holy Spirit and the prudent pastoral care of the Bishops, ecumenical understanding and mutual regard will so increase both among Catholics and among their separated brethren that the need for these special measures will gradually vanish.

30. There is *"communicatio in sacris"* when anyone takes part in the liturgical worship or in the sacraments of another church or ecclesial community.

31. By "liturgical worship" is meant worship carried out according to the books, prescriptions or customs of a church or community, celebrated by a minister or delegate of such church or community in his capacity as minister of that community'·.

B. *Prayer in Common*

32. "Tn certain special circumstances, such as prayers being offered up 'for unity', and during ecumenical gatherings, it is both permissible and desirable for Catholics to join in prayer with their separated brethren. Such prayers in common are a particularly effective means of asking for the grace of unity, and they are a true sign of the ties that still bind Catholics to their separated brethren" (Decree on Ecumenism, n. 8).

'Ofncial note: The word "proselytism" is here used to mean a manner of behavior contrary to the spirit of the Gospel, which makes use of dishonest methods to attract men to a community, for example, by exploiting their ignorance or poverty. See Declaration on Religious Freedom, n. 4.

The Decree is dealing with prayers in which members and even ministers of different communities take an active part. Where Catholics are concerned, this kind of participation is committed to the guidance and encouragement of local Ordinaries. The following points should be noted.

33. It is to be hoped that Catholics and their separated brethren will join in prayer for any common concern in which they can and should cooperate, for example: peace, social justice, mutual charity among men, the dignity of the family, and so on. The same may be said of occasions when according to circumstances, a nation or community wishes to make a common act of thanksgiving or petition to God, as on a national feast day, at a time of public disaster or mourning, on a day set aside for remembrance of those who have died for their country. This kind of prayer is also recommended insofar as possible at times when Christians hold meetings for study or common action.

34. However, common prayer should particularly be concerned with the restoration of Christian unity. It can center, for example, on the mystery of the Church and her unity: Baptism as a sacramental bond of unity, however incomplete: the renewal of personal and social life as a necessary way to achieving unity: and the other themes set out under n. 22.

35. *The form of the service.*

a) Representatives of the Churches or Communities concerned should agree and cooperate in arranging such prayer, in deciding who should take part, what themes, hymns, Scripture readings, prayers and the like should be used.

b) In such a service there is room for any reading, prayer and hymn which manifests the faith or spiritual life shared by all Christians. There is a place for an exhortation, address or Biblical meditation drawing on the common Christian inheritance, which may lead to mutual good will and promote unity among Christians.

c) It is desirable that the structure of services of this kind, whether confined to Catholics or held in common with our separated brethern, should conform to the pattern of community prayer recommended by the liturgical revival (See Constitution on the Sacred Liturgy, e. g., nn. 30, 34, 35).

d) When services are arranged to take place in the church building of an Oriental Church,, it should be borne in mind that

an official liturgical form is considered among Orientals as particularly well adapted to prayer of petition; particular consideration should therefore be given to the liturgical order of the Church.

36. *The place.*

a) A place should be chosen which is acceptable to all those taking part. Care should be taken that everything is properly prepared and conducive to devotion.

b) Although a church building is the place in which a community is normally accustomed to celebrate its own liturgy, there is nothing which in itself prevents holding the common services mentioned in nn. 32-35 in the church of one or other of the Communities concerned, if there is need for this and the local Ordinary approves. In fact, the situation may make this the suitable thing.

c) It should be remembered, when arranging prayer services with the Oriental brethren, that all Oriental Christians regard the church as by far the most suitable place for public prayer.

37. *Dress.* There is nothing against the use of choir dress, where circumstances may indicate this and there is common agreement among the participants.

C. *Sharing in Liturgical Worship*

38. "But worship in common *(communicatio in sacris)* may not be regarded as a means of restoring Christian unity that is to be used indiscriminately. There are two main principles governing the practice of such worship in common: first, expressing the unity of the Church, and second, sharing in the means of grace. Expressing the unity of the Church generally forbids common worship. The grace to be gained sometimes commends it" (Decree on Ecumenism, n. 8).

Section 1. Sharing in Liturgical Worship with Our Separated Oriental Brothers

39. "Since these Churches (Oriental), although they are separated from us. possess true sacraments and especially, by apostolic succession, the priesthood and the Eucharist that link them to us in a very close relationship, some worship in common is not only possible but also advisable, granted the proper circumstances and the approval of ecclesiastical authority" (Decree on Ecumenism, n. 15; see also Decree on Oriental Catholic Churches, nn. 24-29).

40. Between the Catholic Church and the Oriental Churches separated from us there is still a very close communion in matters of faith (see Decree on Ecumenism, n. 14) ; moreover, "the Church of God is built up and grows through the celebration of the Eucharist of the Lord in each of these Churches" and "these Churches, although they are separated from us, possess true sacraments and especially, by apostolic succession, the priesthood and the Eucharist. . . ." *(Ibid.,* n. 15).

This offers ecclesiological and sacramental grounds for allowing and even at times encouraging some sharing in liturgical worship, even Eucharistic, with these Churches, "granted the proper circumstances and the approval of ecclesiastical authority" *(ibid.).*

Pastors should carefully instruct the faithful so that they will be clearly aware of the correct manner of acting in regard to this sharing in liturgical worship.

41. The norms governing this sharing set out in the Decree on Oriental Catholic Churches (nn. 26-29) should be observed with the prudence that the Decree recommends: the norms which apply' to Oriental Catholics apply equally' to the faithful of any' rite, including the Latin.

42. It is particularly opportune that the Catholic authority, whether the local one, the synod or the episcopal conference, does not extend permission for sharing in the reception or administration of the sacraments of Penance, Holy Eucharist or Anointing of the Sick except after satisfactory consultations with the competent authorities (at least local ones) of the separated Oriental Church.

43. In granting permission for sharing in the sacraments, it is fitting that the greatest possible attention be given to "reciprocity."

44. Besides cases of necessity, there would be just cause for encouraging the sharing of each other's sacraments if special circumstances make it materially or morally' impossible over a long period for one of the faithful to receive the sacraments in his own Church, so that in effect he would be deprived without legitimate reason of the spiritual fruit of the sacraments.

45. Since practice differs between Catholics and separated

Oriental Christians in the matter of frequency of Communion, sacramental Confession before Communion and the Eucharistic fast, care must be taken to avoid wonderment and suspicion among separated brethren, created by Catholics not following the Oriental usage. A Catholic who legitimately receives Communion with his separated Oriental brethren in the cases envisaged here must observe their discipline as much as he can.

46. Those Oriental Christians who, in the absence of available confessors of their own Church, spontaneously desire to do so, may go to a Catholic confessor. In similar circumstances a Catholic may approach a confessor of an Oriental Church which is separated from the Apostolic Roman See. Reciprocity should be maintained here too. Both sides should of course take care to arouse no suspicion of proselytizing.

47. A Catholic who occasionally, for reasons set out below in n. 50, attends the Holy Liturgy (Mass) on a Sunday or holy day of obligation in an Oriental Church, is not then bound by the precept to assist at Mass in a Catholic Church. It is likewise a good thing if on such days Catholics who for just reasons cannot go to the Holy Liturgy in their own Church, attend the Holy Liturgy of their separated Oriental brethren if this is possible.

48. Because of the close communion between the Catholic Church and the Oriental Churches separated from us as described above (n. 40), it is permissible for a just cause for a member of one of the latter to act as godparent, together with a Catholic godparent, at the baptism of a Catholic infant or adult so long as there is provision for the Catholic education of the person being baptized, and it is clear that the godparent is a suitable one. A Catholic is not forbidden to stand as godparent in an Oriental Church, if he is so invited. In this case the duty of providing for the Christian education of the baptized person binds in the first place the godparent who belongs to the Church in which the child was baptized.

49. Members of other Churches may act as bridesmaid or best man at a wedding in a Catholic Church. A Catholic too can be best man or bridesmaid at a marriage properly celebrated among our separated brethren.

50. Catholics may be allowed to attend liturgical services of our separated Oriental brothers if they have a just cause, for

example, arising out of a public office or function, blood relationship, friendship, desire to be better informed, etc. In such cases there is nothing against their taking part in the common responses, hymns and actions of the Church in which they are guests. Receiving Holy Communion, however, will be governed by what is laid down above (nn. 42 and 44). Because of the close communion referred to earlier (n. 40), local Ordinaries can give permission for a Catholic to read lessons at a liturgical service, if he is invited. These same principles govern the manner in which a separated Oriental Christian may assist at services in Catholic churches.

51. Regarding participation in ceremonies which do not call for sacramental sharing, the following should be observed:

a) In ceremonies carried out by Catholics, an Oriental clergyman who is representing his Church should have the place and the liturgical honors which Catholics of equal rank and dignity have in the Catholic Church.

b) A Catholic clergyman present in an official capacity at an Orthodox service can. if it is acceptable to his hosts, wear choir dress or the insignia of his ecclesiastical rank.

c) There should be meticulous regard for the outlook of the clergy and faithful of the Oriental Churches, as well as for their customs which may vary according to time, place, persons and circumstances.

52. Because "common participation in sacred functions, places and things on the part of Catholics and our separated Oriental brethren is allowed for just cause" (see Decree on Oriental Catholic Churches, n. 28), it is recommended that with the approval of the local Ordinary separated Oriental priests or communities be allowed the use of Catholic churches, buildings and cemeteries and other things necessary for their religious rites, if they ask for this and have no place in which they can celebrate sacred functions properly and with dignity.

53. The authorities of Catholic schools and institutions should take care to offer the Oriental clergy every facility for giving spiritual and sacramental ministration to their own faithful who attend such schools and institutions. As far as circumstances allow, and with the local Ordinary's permission, these facilities can be offered on the Catholic premises, including the church.

54. In hospitals and similar institutions conducted by Cath-

olics, the authorities should promptly advise the Oriental priest of the presence of his faithful, and give him facilities to visit the sick and administer the sacraments to them in dignified and reverent conditions.

Section 2. Sharing in Liturgical Worship with Other Separated Brethren

55. Celebration of the sacraments is an action of the celebrating community, carried out within the community, signifying the oneness in faith, worship and life of the community. Where this unity of sacramental faith is deficient, the participation of the separated brethren with Catholics, especially in the sacraments of the Eucharist. Penance, and Anointing of the Sick, is forbidden. Nevertheless, since the sacraments are both signs of unity and sources of grace (see Decree on Ecumenism, n. 8), the Church can for adequate reasons allow access to these sacraments to a separated brother. This may be permitted in danger of death or in urgent need (during persecution, in prisons) if the separated brother has no access to a minister of his own communion, and spontaneously asks a Catholic priest for the sacraments so long as he declares a faith in these sacraments in harmony with that of the Church, and is rightly disposed. In other cases the judge of this urgent necessity must be the diocesan Bishop or the episcopal conference. A Catholic in similar circumstances may not ask for these sacraments except from a minister who has validly received the sacrament of Orders.

56. A separated brother is not to act as a Scripture reader or to preach during the celebration of the Eucharist. The same is to be said of a Catholic at the celebration of the Lord's Supper or at the principal liturgical service of the Word held by the Christians who are separated from us. .At other services, even liturgical ones, it is allowable for both to exercise some functions, with the previous permission of the local Ordinary and the consent of the authorities of the Communitv concerned.

57. With the exception already dealt with above (n. 48), it is not permissible for a member of a separated Community to act as godparent in the liturgical and canonical sense at baptism or confirmation. The reason is that a godparent is not merely undertaking his responsibility for the Christian education of the person baptized or confirmed, as a relative or friend: he is also, as a representative of a community of faith, standing as sponsor for the faith of the candidate. Equally, a Catholic cannot fulfill this function for a member of a separated Community. However, because of ties of blood or friendship, a Christian of another Communion, since he has faith in Christ, can be admitted with a Catholic godparent as a Christian witness of the baptism. In comparable circumstances a Catholic can do the same for a member of a separated Community. In these cases the responsibility for the Christian education of the candidate belongs of itself to the godparent who is a member of the Church in which the candidate is baptized. Pastors should carefully explain to the faithful the evangelical and ecumenical reasons for this regulation, so that all misunderstanding of it may be prevented.

58. The separated brethren may act as "official" witnesses (bridesmaid or best man) at a Catholic marriage, and Catholics at a marriage which is properly celebrated between our separated brethren.

59. Catholics may be allowed to attend occasionally the liturgical services of other brethren if they have reasonable ground, for example arising out of a public office or function, blood relationship or friendship, desire to be better informed, an ecumenical gathering, etc. In these cases, with due regard to what has been said above, there is nothing against Catholics taking some part in the common responses, hymns and actions of the Community of which they are guests, so long as they are not at variance with Catholic faith. The same principles govern the manner in which our separated brethren may assist at services in Catholic churches. This participation, from which reception of the Eucharist is always excluded, should lead the participants to esteem the spiritual riches we have in common and at the same time make them more aware of the gravity of our separations.

60. When taking part in services which do not call for sacramental sharing, ministers of other Communions may by mutual consent take a place suitable to their dignity. So too Catholic ministers who are present at ceremonies celebrated by other Communions may, with due regard for local customs, wear choir dress.

61. If the separated brethren have no place to carry out their religious rites properly and with dignity, the local Ordinary may

allow them the use of a Catholic building, cemetery or church.

62. The authorities of Catholic schools and institutions should take care to offer to ministers of other Communions every facility for giving spiritual and sacramental ministration to their own communicants who attend Catholic institutions. These ministrations may be given in Catholic buildings, in accordance with the above, n. 61.

63. In hospitals and similar institutions conducted by Catholics, the authorities in charge should promptly advise ministers of other Communions of the presence of their communicants and afford them every facility for visiting the sick and giving them spiritual and sacramental ministrations.

In an audience granted to the Secretariat for Promoting Christian Unity. 28 April, 1967, the Sovereign Pontiff Paul VI approved this directory, confirmed it by his authority and ordered that it be published. Anything to the contrary notwithstanding.

Rome, 14 May, 1967, Pentecost Sunday.

AAS 59-574; Seer. Christ. Unit., 14 May, 1967. Annotations in *Nouvelle Revue Theol.,* 89 (1967)–868–872 (Dejaifve). Outline of *Directory* in *Pastoral Life,* 16 (1968)–167–170.

Athenagoras I. Ecumenical Patriarch of Constantinople: Paul VI, Letter to, about overtures toward unity between the Churches of the East and West 25 July, 1967 (AAS 59-852). English version in *Australasian Cath. Record,* 45 (1968)–9–11.

Paul VI, Allocution on arrival of the Patriarch at Rome, 26 Oct., 1067 (AAS 59-1048). English version in *The Pope Speaks,* 12 (1967)-342-346.

Paul VI, Allocution as Patriarch is about to depart Rome, 28 Oct., 1967 (AAS 59-1053). Annotations regarding visit of the Patriarch in *Clergy Monthly,* 32 (1968)–3–6 (Card. Bea).

Catholic-Jewish Relations: Official guidelines issued by special commission of National Catholic Conference of Bishops of U. S., 16 Mar., 1967; reported in *Catholic Mind,* 65 (June, 1967)-62-65.

Ecumenism: Between Catholics and Separated Orientals. See c. 1; Cone. Vat. II., 21 Nov., 1964, nn. 24-30.

Criterion for, is fidelity. Paul VI, Allocution to general audience, IS Jan., 1067; reported in *L'Osservatore Roniano,* 19 Jan., 1967. English version in *The Pope Speaks,* 12 (1967)–187–189.

Directives for: Allentown Diocese: *Jurist,* 26 (1966)-500-511; Ireland: statement of the Irish Hierarchy, 22 June, 1966: *Furrow,* 17 (1966)–477-478; Richmond Diocese: *Jurist,* 25 (1965)-371-382; Rockville Centre Diocese: *Jurist,* 26 (1966)-371-383.

Ecumenism in 1967: *Clergy Monthly,* 32 (1968)-17-22 (De Letter).

Example from Paul VI. See c. 218; Paul VI, 29 Oct., 1964.

Secretariat for Christian Unity: Paul VI, Allocution, 28 Apr., 1967 (AAS 59-493). English version in *Clergy Monthly,* 32 (1968)–23–25; *The Pope Speaks,* 12 (1967)-97-102.

Secretariats: For promoting Christian unity, for non-Christians, and for non-believers. Sec c. 242; Paul VI, Ap. Const., 15 Aug., 1967, nn. 92-102.

CANON 1261

The Church and Artists. Allocution of Paul VI at the "Artists' Mass" in Sistine Chapel, 7 May, 1964 (AAS 56-438). English version in *The Pope Speaks,* 9 (1963-64)-390-395.

Religious: Exempt: visitation of churches by local Ordinary. See c. 222, *Motu proprio,* 6 Aug., 1966; AAS 58-757, I, 38.

Exempt: visitation of schools by local Ordinary. See c. 222, *Motu proprio,* 6 Aug., 1966; AAS 58-757, I, 39.

CANON 1264

Sacred Music in the Liturgy (S. C. Rit., Instruction, 5 Mar., 1967) AAS 59-300.

The original of this instruction opens with the words. *Musicam sacram.*

PREFACE

1. Sacred music, in those aspects which concern the liturgical renewal, was carefully considered by the Second Vatican Council. It explained its role in divine services, issued a number of principles and laws on this subject in the Constitution on the Liturgy, and devoted to it an entire chapter of the same constitution.

2. The decisions of the Council have already begun to be put into effect in the recently undertaken liturgical renewal. But the new norms concerning the arrangement of the sacred rites and the active participation of the faithful have given rise to several problems regarding sacred music and its ministerial role. These problems appear to be able to be solved by expounding more fully certain relevant principles of the Constitution on the Liturgy.

3. Therefore, the Commission set up to implement the Constitution on the Liturgy, on the instructions of the Holy Father, has carefully considered these questions and prepared the present instruction. This does not, however, gather together all the legis-

lation on sacred music; it only establishes the principal norms which seem to be more necessary for our own day. It is, as it were, a continuation and complement to the preceding instruction of this Sacred Congregation, prepared by this same Commission on the 26th of September, 1964, for the correct implementation of the liturgy constitution.

4. It is to be hoped that pastors of souls, musicians and the faithful will gladly accept these norms and put them into practice, uniting their efforts to attain the true purpose of sacred music, "which is the glory of God and the sanctification of the faithful."[*]

a) By sacred music is understood that which, being created for the celebration of divine worship, is endowed with holiness and goodness of form.[2]

b) The following come under the title of *sacred music* here: Gregorian chant, sacred polyphony in its various forms both ancient and modern, sacred music for the organ and other approved instruments, and popular music, be it sacred, i.c., liturgical, or simply religious.[3,4]

I. Some General Norms

5. Liturgical worship is given a more noble form when it is celebrated in song, with the ministers of each rank fulfilling their ministry and the people participating in it.[1] Through this form, indeed, prayer is expressed in a more attractive way; the mystery of the liturgy with its distinctive hierarchical and community nature is more openly shown; the unity of hearts is more profoundly achieved by the unity of voices; minds are more easily raised to heavenly things by the beauty of the sacred rites: and the whole celebration more clearly prefigures that heavenly liturgy which is enacted in the holy city of Jerusalem.

[*] AAS 56-877; reported above, pp. 73-09.

[1] Cone. Vat. II: *Const. on the Sacred Liturgy,* n. 112; completely reported above, pp. 32-67.

[2] Cf. St. Pius X: *Motu proprio, Tra le solleciludini* (22 Nov., 1903), n. 2 (A.S.S. 36-332).

[3] S. C. Rit.: Instr. *Sacred Music and the Liturgy* (3 Sept., 1958), n. 4; completely reported in Canon Law Digest, 5, pp. 573-608.

[4] Cone. Vat. II: *Const. Liturg.,* n. 113.

Pastors of souls will, therefore, do all they can to achieve this form of celebration. They will try to work out how that assignment of different parts to be performed and duties to be fulfilled which characterize sung celebrations, may be transferred even to celebrations which are not sung, but at which the people are present. They must take particular care that the necessary ministers are obtained and are suitable, and that the active participation by the people is encouraged.

The practical preparation for each liturgical celebration, whether that preparation be ritual, pastoral or musical, should be done in a spirit of cooperation by all parties concerned under the guidance of the rector of the church.

6. The proper arrangement of a liturgical celebration requires the due assignment and performance of certain functions by which "each person, minister or member of the faithful, who has a function to perform, should do everything that pertains to him by the nature of the case and according to liturgical laws, and nothing else."[5] This also demands that the meaning and proper nature of each part and of each song be carefully observed. To attain this, those parts especially should be sung which by their very nature require that they be sung, using the kind and form of music demanded by their character.

7. Between the solemn, fuller form of liturgical celebration, in which everything which demands singing, is in fact sung, and the simplest form in which singing is not used, there can be various degrees according to the greater or lesser place allotted to singing. However, in selecting the parts which are to be sung, one should start with those which are by their nature of greater importance, and especially those which are to be sung by the priest or by the minister with the responses by the people, or those which are to be sung by the priest and people together. The other parts may be gradually added according as they are proper to the people alone or to the choir alone.

8. Whenever, for a liturgical service which is to be celebrated in sung form, one can make a choice between various people, it is desirable that those who are known to be more proficient in singing be given preference; this is especially the case in more solemn liturgical celebrations and in those which either require

[5] Cone. Vat. II: *Const. Liturg.,* n. 28.

more difficult singing, or are transmitted by radio or television.

If, however, a choice of this kind is not available, and if the priest or minister does not possess a voice suitable for the proper rendition of the singing, he can perform one or more of the more difficult parts which concern him without singing but by reciting them in a loud and distinct voice. However, this must not be done merely for the convenience of the priest or minister.

9. In selecting the kind of sacred music to be used, whether it be for the choir or for the people, the capabilities of those who are to sing must be taken into account. No kind of sacred music is prohibited from liturgical services by the Church as long as it corresponds to the spirit of the liturgical celebration itself and the nature of its individual parts,[7] and does not hinder the due and active participation of the people.[8]

10. In order that the faithful may actively participate more willingly and more beneficially, it is fitting that the format of the celebration and the degrees of participation in it should be appropriately varied, as much as possible, according to the religious character of the day and the nature of the congregation present.

11. It should be borne in mind that the true solemnity of liturgical worship depends less on a more ornate form of singing and a more magnificent ceremonial than on its worthy and religious celebration, which takes into account the integrity of the liturgical celebration itself and the performance of each of its parts according to their own particular nature. A more ornate form of singing and a more magnificent ceremonial are, at times, truly desirable when the resources to carry them out properly are available. On the other hand, it would be contrary to the true solemnity of the liturgy if this were to lead to a part of the action being omitted, changed, or improperly performed.

12. It is for the Holv See alone to determine the more important general principles which are, as it were, the basis of sacred music, and which are to be in keeping with the traditional norms, but especially in keeping with the Constitution on the Sacred Liturgy. Direction in this matter, within the limits laid down, also belongs to the different classes of competent terri-

[7] S. C. Rit. Instr. *Sacred Music* (3 Sept., 1958), n. 95.
[8] Cf. Cone. Vat. II: *Const. Liturg.*, n. 116.
[8] Cf. Cone. Vat. II: *Const. Liturg.*, n. 28.

torial episcopal conferences which have been legitimately constituted, and to the individual Bishop?

II. Participants in Liturgical Celebrations

13. Liturgical services are celebrations of the Church, that is, of the holy people, united under and directed by the Bishop or priest.10 The priest and his ministers, because of the sacred Order they have received, hold a special place in these celebrations, as do also the servers, readers, commentators and choir members by reason of the ministry they perform.11

14. The priest, acting in the person of Christ, presides over the assembled congregation. Since the prayers which are said or sung by him aloud are proclaimed in the name of the entire holy people and of all present,12 they should be devoutly listened to by all.

15. The faithful fulfill their liturgical role by engaging in that full, conscious and active participation which is demanded by the nature of the liturgy itself and which is, by reason of baptism, the right and duty of the Christian people.13

This participation, however:

o) should be above all internal, in the sense that by it the the faithful join their mind to what they pronounce or hear, and cooperate with heavenly grace.14

b) must be, on the other hand, external also, that is, such as to show forth the internal participation by gestures and bodily attitudes, by acclamations, responses and singing.15

The faithful should also be taught that, while they listen to what the ministers or choir sing, they should strive to raise their minds to God by internal participation.

16. Nothing more religious and more joyful in sacred celebra-

OCf. Cone Vat II· *Const. Liturg.,* n. 22.

111 Ci. Cone. Vat. II: *Const. Liturg.,* nn. 26 and 41–42; *Const, de Eccles.,* n 28.

11 Cf. Cone. Vat. II: *Const. Liturg.,* n. 29.

12 Cf. Cone. Vat. II: *Const. Liturg.,* n. 33.

13 Cf. Cone. Val. II: *Const. Liturg.,* n. 14.

14 Cf. Cone. Vat. II: *Const. Liturgy.,* n. 11.

15 Cf. Cone. Vat. II: *Const. Liturg.,* n. 30.

tions can be beheld than a whole congregation expressing its faith and devotion in song. Therefore, the active participation of the whole people, which is shown in singing, is to be carefully promoted as follows:

a) It should above all include acclamations, responses to the greetings of the priest and ministers and to litany invocations, and also antiphons and psalms as well as refrains or repeated responses, and hymns and canticles.[10]

b) Through suitable instruction and practices, the people should be gradually led, day by day, to a fuller, indeed to a complete, participation in those parts of the singing which pertain to them.

c) Some of the people's song, however, especially if the faithful have not yet been sufficiently instructed, or if musical settings for several voices are used, can be handed over to the choir alone, provided that the people are not excluded from those parts which pertain to them. But the usage of turning over to the choir alone the entire singing of the whole *Proper* and of the whole *Ordinary* to the complete exclusion of the people's participation in the singing, is not to be given approval.

17. A sacred silence should be observed at the proper time.[17] Through it the faithful are not only not considered as outsiders or as dumb spectators at the liturgical service, but are associated more intimately in the mystery that is being celebrated by means of those interior dispositions which derive from the Word of God that has been heard, from the songs and prayers that have been uttered, and from the spiritual union with the priest as he performs his functions.

18. Among the faithful, special attention must be given to the instruction in sacred singing of members of lay religious societies, so that they may support and promote the participation of the people more effectively.[18] The formation of the whole people in singing should be zealously and patiently undertaken together with liturgical instruction, according to the age, status and

115 Cf. Cone. Vat. II: *Const. Liturg.*, n. 30.

17 Cf. Cone. Vat. II: *Const. Liturg.*, n. 30.

18 S. C. Rit.: Instruction for the *Proper Implementation of the Constitution on the Sacred Liturgy* (26 Sept., 1964), nn. 19 and 59; completely reported above, pp. 73-09.

way of life of the faithful and the degree of their religious culture. This should be done even from the first years of education in elementary schools.19

19. Because of the liturgical ministry it performs, the choir, or the *capella musica,* or *schola cantorum,* deserves special mention.

Its role has become something of yet greater importance and influence by reason of the norms of the Council concerning the liturgical renewal. Its duty is. then, to ensure the proper performance of the parts which belong to it, according to the different kinds of music sung, and to encourage the active participation of the faithful in the singing.

Therefore:

a) There should be choirs, or *capellae,* or *scholae cantorum,* especially in cathedrals and other major churches, in seminaries and religious houses of studies, and they should be earnestly encouraged.

b) The same types of choirs, even if small, should, in time, be set up in smaller churches as well.

20. Large choirs *(capellae musicae)* existing in basilicas, cathedrals, monasteries and other major churches, which have in the course of centuries earned for themselves high renown by preserving and developing a musical heritage of inestimable value, should be retained to celebrate sacred services of a more elaborate kind according to their own traditional norms after they have been recognized and approved by the Ordinary.

However, the directors of these choirs and the rectors of the churches should take care that the people always associate themselves with the singing by performing at least the easier sections of those parts which belong to them.

21. Provision should be made for at least one or two properly trained singers, especially where there is no possibility of setting up even a small choir. The singer should present at least the simpler musical settings, with the people taking part, and should lead and support the faithful as far as is needed.

The presence of such a singer is desirable even in churches which have a choir for those celebrations in which the choir can-

19 Cf. Conc. Vat. II: *Const. Liturg.,* n. 19; S. C. Rit.: Instr. *Sacred Music* (3 Sept., 1958), nn. 106-108.

not take part but which may fittingly be performed with some solemnity and, therefore, with singing.

22. According to the customs of each country and other circumstances, the choir can consist of either men and boys, or of only men or only boys, or of men and women, or even, where the case truly warrants it, of only women.

23. Taking into account the layout of each church, the choir should be placed in such a way:

a) that its nature should be clearly apparent, namely, that it is a part of the whole congregation of the faithful, and that it fulfills a special role;

Z>) that it is easier for it to fulfill its liturgical functions;-'

c) that each of its members may be able to participate fully and easily in the Mass, that is to say, by sacramental participation.

However, whenever the choir also includes women, it should be located outside the sanctuary *{presbyterium').*

24. Besides musical training, suitable liturgical and spiritual training must also be given to the members of the choir in such a way that the proper performance of their liturgical role will not only enhance the beauty of the sacred service and be an excellent example for the faithful, but will bring spiritual benefit to the choir members themselves.

25. In order that this technical and spiritual training may be more easily obtained, the diocesan, national and international associations of sacred music should offer their services, especially those that have been approved and several times commended by the Holy See.

26. The priest, the sacred ministers and the servers, the reader and the choir members as well as the commentator should perform the parts assigned to them in a way which is well comprehended by the people so that the response of the people, when the rite requires it, may be made more easily and, as it were, spontaneously. It is desirable that the priest and the ministers of every rank should join their voices to the voice of the whole assembly of the faithful in those parts which concern the people.21

20 Cf. S C. Rit.: Instr *Proper Implem.,* n 97.

21 Ci. S. C. Rit.: Instr. *Proper Implem.,* n. 48 b.

III. Singing in the Celebration of the Mass

27. For the celebration of the Eucharist with the people, especially on Sundays and feast days, a form of sung Mass *(Missa in cantu)* is to be preferred as much as possible, even several times on the same dav.

28. The distinction between solemn, sung and low Mass, sanctioned by the instruction of 1958 (n. 3), should be retained in accordance with the traditional liturgical laws presently in force. However, for the sung Mass *(Missa cantata),* different degrees of participation are put forward here for reasons of pastoral usefulness, so that it may become easier to make the celebration of Mass more solemn by singing, according to the capabilities of each congregation.

These degrees are so arranged that the first may be used even by itself, but the second and third, wholly or partially, may never be used without the first. In this way the faithful will be continually led toward full participation in the singing.

29. The following belong to the first degree:

a) hi the entrance rites:

—the greeting of the priest together with the reply of the people;

—the prayer.

b) hi the liturgy of the Word:

—the acclamations at the gospel.

c) hi the Eucharistic Liturgy:

—the prayer over the offerings;

- the Preface with its dialogue and the *holy, holy, holy;*

—the final doxology of the Canon;

—the Lord's prayer with its introduction and embolism;

—the *May the peace of the Lord;*

—the postcommunion prayer;

—the formulas of dismissal.

30. The following belong to the second degree:

a) the *Lord have mercy, Glory to God* and *Lamb of God;*

b) the Creed;

r) the prayer of the faithful.

31. The following belong to the third degree:

(7) the songs at the entrance and Communion processions;

b) the songs after the lesson or epistle;

c) the *Alleluia* before the gospel;

d) the song at the offertory;

e) the readings of Sacred Scripture, unless it seems more suitable to proclaim them without singing.

32. The custom legitimately in use in certain places and widely confirmed by induits, of substituting other songs for the songs given in the *Graduate* for the entrance, offertory and Communion, can be retained according to the judgment of the competent territorial authority as long as songs of this sort are in keeping with the parts of the Mass, with the feast, or with the liturgical season. It is for the same territorial authority to approve the texts of these songs.

33. It is desirable that the assembly of the faithful should participate in the songs of the *Proper* as much as possible, especially through the easier responses and other suitable settings.

The song after the lessons, be it in the form of gradual or responsorial psalm, has a special importance among the songs of the *Proper.* By its very nature, it forms part of the Liturgy of the Word. It should, therefore, be performed with all seated and listening to it, and. indeed, participating in it as far as possible.

34. The songs which are called the *Ordinary oj the Mass,* if they are sung to musical settings written for several voices, may be performed by the choir according to the customary norms, either *a capella,* or with instrumental accompaniment, as long as the people are not completely excluded from taking part in the singing.

In other cases, the songs of the *Ordinary oj the Mass* can be divided between the choir and the people, or even between two sections of the people themselves by singing alternate verses, or by other suitable divisions which divide the complete text into larger sections. In these cases, however, the following points should be noted. It is preferable that the *Creed,* since it is a formula of profession of faith, should be sung by all or performed in such a way as to permit a fitting participation by the faithful. It is also preferable that the *Holy, holy, holy,* as the concluding acclamation of the Preface, should, as a rule, be sung by the whole congregation together with the priest. The *Lamb oj God* may be repeated as often as necessary where it accompanies the breaking

of the Host, especially in concélébrations. It is desirable that the people should participate in this song, at least in the final invocation.

35. The Lord's prayer is appropriately performed by the people together with the priest." If it is sung in Latin, the melodies already legitimately existing should be used. If. however, it is sung in the vernacular, the settings are to be approved by the competent territorial authority.

36. There is no reason why some part of the *Proper* or *Ordinary* should not be sung in low Masses. Moreover, some other song can also, on occasion, be sung at the beginning, the offertory, the Communion, and the end of Mass. It is not sufficient, however, that these songs be merely "Eucharistic"; they should be in keeping with the parts of the Mass, with the feast, or with the liturgical season.

IV. The Singing of the Divine Office

37. The sung celebration of the Divine Office is the form which best accords with the nature of this prayer. It is indicative of greater solemnity and of deeper union of hearts in rendering the praises of God. As a result, in accordance with the Constitution on the Liturgy,[23] this sung form is strongly recommended to those who celebrate the Divine Office in choir or in common.

For it is desirable that at least some part of the Divine Office, especially the principal Hours, namely Lauds and Vespers, should be performed in sung form by them, at least on Sundays and feast days.

Other clerics also, who live in common for the purpose of studies, or who come together for retreats or other purposes, should sanctify their meetings in a very fitting way by celebrating some parts of the Divine Office in sung form.

38. Without prejudice to the prevailing law for those obliged to choir as well as without prejudice to special induits, when the Divine Office is to be celebrated in sung form, a principle of "progressive" solemnity can be used, inasmuch as those parts which of their nature lend themselves more directly to a sung

22 Cf. S. C. Rit.: Instr *Proper Implem* , n. 48 g.

21 Cf n 90.

form, e.g., dialogues, hymns, verses and canticles may be sung but the rest recited.

39. The faithful should be invited and trained by due instruction to celebrate certain parts of the Divine Office in common on Sundays and feast days, especially Vespers, or, according to the customs of the particular area and assembly, other Hours. In general, the faithful, particularly the better educated, should be led by suitable instruction to understand the psalms in a Christian sense and to use them in their own prayers, so that they may gradually acquire a finer taste, as it were, and use of the public prayer of the Church.

40. To be given special training of this type, however, are the members of institutes professing the evangelical counsels so that they may draw from it more abundant riches for the development of their spiritual life. It is desirable also that they should participate more fully in the public prayer of the Church by performing the principal Hours of the Office in sung form as far as possible.

41. In accordance with the norm of the Constitution on the Sacred Liturgy and the centuries-old tradition of the Latin rite, the Latin language must be retained for clerics celebrating the Divine Office in choir.[24][25]

Since, however, the same Constitution on the Sacred Liturgy[23] provides for the use of the vernacular in the Divine Office both by the faithful and by nuns and other members of institutes professing the evangelical counsels who are not clerics, due care should be taken that melodies be prepared which may be used in the singing of the Divine Office in the vernacular.

V. Sacred Music in the Celebration of the Sacraments and Sacramentels, In Special Functions of the Liturgical Year, In Sacred Celebrations of the Word of God, And In Devotional and Sacred Exercises

42 The Council set forth the principle that whenever a rite, in keeping with its character, allows a celebration in common with the attendance and active participation of the faithful, this should

24 Cf Cone. Vat. II: *Const. Lilurg.,* n. 101, § 1; S. C. Rit.: Instr. *Proper Impltm.,* n. 85.

25 Ct. n. 101, §§ 2 and 3.

be preferred to an individual and quasi-private celebration of the rite.[26] It follows necessarily from this that singing is of great importance since it more clearly manifests the "ecclesial" aspect of the celebration.

43. Certain celebrations of the sacraments and sacramentals. which have special importance in the life of the whole parish community, such as confirmation, sacred ordinations, matrimony, the consecration of a church or altar, funerals, etc., should be performed in sung form as far as possible so that even the solemnity of the rite will contribute to its greater pastoral effectiveness. Nevertheless, the introduction into the celebration of anything which is merely secular, or which is hardly compatible with divine worship, under the guise of solemnity, should be carefully avoided; this applies particularly to the celebration of marriages.

44. Similarly, celebrations which are distinguished by a special form of liturgy in the course of the liturgical year should be solemnized by singing. In a very special way, certainly, the sacred rites of Holy Week should be performed with due solemnity since these lead the faithful to the focal point, as it were, of the liturgical year and of the liturgy itself through the celebration of the Paschal Mystery.

45. Likewise, for the liturgy of the sacraments and sacramentals, and for other special celebrations of the liturgical year, suitable melodies should be provided which will promote celebration in a more solemn form, even in the vernacular. Such celebration is dependent upon the capabilities of individual congregations and the norms of the competent authority.

46. Sacred music is also very effective in fostering the devotion of the faithful in sacred celebrations of the Word of God and in devotional and sacred exercises.

In sacred celebrations of the Word of God,[27] let the Liturgy of the Word in the Mass be taken as a model.[28] In all devotional and sacred exercises it will be especially and vastly helpful to use psalms, sacred musical compositions drawn from both the ancient

26 Cf. *Const. Liturg.*, n. 27.

27 Cf. S. C. Rit.: Instr. *Proper Implem.*, nn. 37-39.

28 Cf. S. C. Rit.: Instr. *Proper Implem.*, n. 37.

and the more recent heritage, popular religious songs, as well as the playing of the organ or other instruments which are more appropriate.

Moreover, in those devotional and sacred exercises and especially in celebrations of the Word of God, it is good to include as well some of those musical works which, although they no longer have a place in the liturgy, can, nevertheless, stir up religious spirit and foster meditation on the sacred mystery.[29]

VI. The Language to be Used in Sung Liturgical Celebrations and the Preservation of the Heritage of Sacred Music

47. According to the Constitution on the Sacred Liturgy, "unless there is a particular law to the contrary, the use of the Latin language is to be preserved in the Latin rites."[30]

However, since "the use of the vernacular is often of great advantage to the people, [1] "it belongs to the competent territorial ecclesiastical authority' to decide whether and to what extent the vernacular may be used once their decrees have been approved, that is, confirmed, by the Holy' See."[32]

Wherefore, if these norms have been exactly followed, that form of participation should be employed which best matches the capabilities of each congregation.

Pastors of souls should take care that, in addition to the vernacular, "the faithful also know how to recite or sing in Latin as well those parts of the *Ordinary* of the Mass which pertain to them."[33]

48. Where use of the vernacular has been introduced into the celebration of Mass, the local Ordinaries should decide whether

Cf below, n. 5 ‹ •-fIR:

0 X 36, 5 1

21 X. 36, § 2.

32 X. 36, § 3.

Cone. Vat. II: *Const. Liturg.*, n. 54; S. C. Rit.: Instr. *Proper Imflem.*, n. 59.

it is opportune to retain the usage of having one or more Masses, especially sung Masses, celebrated in Latin in certain churches, above all in large cities where members of the faithful who use different languages rather frequently come.

49. As regards the use of Latin or the vernacular in the sacred celebrations carried out in seminaries, the norms of the Sacred Congregation of Seminaries and Universities concerning the liturgical training of the students[33*] should be observed.

The members of institutes professing the evangelical counsels should observe in this matter the norms contained in the apostolic letter *Sacrificium laudisM* of 15 August, 1966, as well as the instruction on the language to be used by religious in celebrating the Divine Office and the conventual or community Mass.[3c] given by' this Sacred Congregation of Rites on 23 November, 1965.

50. In sung liturgical services which are to be celebrated in Latin:

a) Gregorian chant, as proper to the Roman liturgy, should be given first place, other things being equal.[34] Its melodies, contained in the "typical" editions, should be used as opportunityr provides.

A) "It is desirable also that an edition be prepared containing simple melodies for use in small churches."[35]

c) Other musical settings, written for one or more voices, be they taken from the traditional heritage or from new works, should be held in honor, encouraged and used as opportunity provides.[30]

51. After they have taken into consideration the local conditions, the pastoral benefit of the faithful, and the character of their own language, pastors of souls should see whether parts of

33* 25 Dec., 1965; reported below, pp. 766-786.

Mb Reported above, pp. 501-505.

' Reported above, pp. 117-120.

34 Ci. Cone. Vat. II: *Const. Liturg.*, n. 116.

35 Cone. Vat. II: *Const. Liturg.*, n. 117.

30Cf. Cone. Vat II: *Const. Liturg.*, n. 116.

the heritage of sacred music, written in previous centuries for Latin texts, can also be conveniently used not only in liturgical services celebrated in Latin, but also in those performed in the vernacular. There is nothing to prevent different parts in one and the same celebration from being sung in different languages.

52. In order to preserve the heritage of sacred music and to promote new forms of sacred singing, "great importance is to be attached to the teaching and practice of music in seminaries, in the novitiates and houses of study of religious of both sexes, and also in other Catholic institutions and schools," but particularly those higher institutes established specially for this purpose.·' Above all. the study and practice of Gregorian chant is to be promoted because, with its special characteristics, it is a basis of great importance for the development of sacred music.

53. New works of sacred music should conform faithfully to the principles and norms set out above. In this way "they will have the qualities proper to genuine sacred music, and not only can be sung by large choirs, but are suitable also for smaller choirs, and promote the active participation of the whole assembly of the faithful."[35]

As regards the heritage that has been handed down, those parts which correspond to the needs of the renewed sacred liturgy should first be brought to light. Then, men who are real experts in this field must carefully consider whether other parts can be adapted to the same needs. Finally, the remaining pieces which cannot be adjusted to the nature of the liturgy or to the proper pastoral celebration of the liturgy, may be appropriately' transferred to devotional exercises, especially to sacred celebrations of the Word of God.[39]

VII. Preparation of Melodies for Vernacular 'I exts

54. In preparing popular versions of those parts which will be set to melodies, especially of the psalter, experts should take care that fidelity to the Latin text be suitably harmonized with applicability of the vernacular text to musical settings. The nature

' Cone. Vat II: *Const. Liturg.,* n. 115.
3'Cone Vat. II *Const. Liturg.,* n. 121.
*®Cf. above, n. 46.

and laws of each language must be respected, and the genius and special characteristics of each people must be kept in mind. This background together with the laws of sacred music should be carefully considered by musicians in the preparation of new melodies.

The competent territorial authority will, therefore, ensure that on the commission entrusted with the composition of versions for the people, there are experts in the subjects already mentioned as well as in Latin and the vernacular. From the very outset of the work, they must work with joined forces.

55. It will be up to the competent territorial authority to decide whether certain vernacular texts which have been set to music and which have been handed down from former times, can be used, even though they may not conform in all details to the legitimately approved versions of the liturgical texts.

56. Among the melodies to be composed for the people's texts, those which belong to the priest and ministers are particularly important, whether they are to sing them alone, or whether they' are to sing them together with the people, or whether they are to sing them in dialogue form with the people. In composing these melodies, musicians should consider whether the traditional melodies of the Latin liturgy which are used for this purpose can suggest melodies for the same texts in the vernacular.

57. New melodies for use by the priest and ministers must be approved by the competent territorial authority.[40]

58. These episcopal conferences whom it concerns should ensure that for one and the same language used in different regions, there will be a single vernacular translation. It is also desirable that, as far as possible, there should be one or more common melodies for those parts which concern the priests and ministers, and for the responses and acclamations of the people, so that the common participation of those who use the same language may be fostered.

59. Musicians should enter on this new work motivated with the desire to continue that tradition which has furnished the Church with a real heritage for use in divine worship. Let them examine the works of the past, their types and characteristics.

40 Ci. S. C. Rit.: Instr. *Proper Iniplem.,* n. 42.

but let them also pay careful attention to the new laws and requirements of the sacred liturgy so that "the new forms may be in some sense an organic growth from the forms that already exist "" and the new works will form in the musical heritage of the Church a new part, not unworthy of the past works.

60. The new melodies for the vernacular texts certainly need a period of experimentation in order that they may attain sufficient maturity and perfection. However, anything done in churches, even if only for experimental purposes, which is unbecoming to the holiness of the place, the dignity of the liturgy and the devotion of the faithful, must be avoided.

61. Adapting sacred music for those regions which possessa musical tradition of their own, especially mission areas," will require a specialized preparation on the part of the experts. It is a question of how to harmonize appropriately the sense of the sacred with the spirit, traditions and characteristic expressions proper to each of these peoples. Those who work in this field should have sufficient knowledge both of the liturgy and musical tradition of the Church and of the language, popular songs and other characteristic expressions of the people for whose benefit they are working.

VIII. Sacred Instrumental Music

62. Musical instruments can be very useful in sacred celebrations, whether they" accompany" the singing or whether they are played as solo instruments.

"In the Latin Church the pipe organ is to be held in high esteem as the traditional musical instrument which contributes a remarkable splendor to the ceremonies of the Church and powerfully' elevates the mind to God and to heavenly things.

"Other instruments, however, may be admitted in divine worship according to the judgment and consent of the competent territorial authority in as far as the instruments are suitable for sacred use or can be adapted to it, are in accord with the dignity

41 Cone Vat. II *Const. Liturg.,* n. 23.
42 Cf. Cone. Vat II *Const. Liturg.,* n. 119.

of the temple, and really contribute to the edification of the faithful."43*

63. In permitting and using musical instruments, the culture and traditions of individual peoples must be taken into account. However, those instruments which are by common opinion and use suitable for secular music only, are to be altogether prohibited from every liturgical celebration and from devotional and sacred exercises." All musical instruments which are permitted in divine worship, should be used in such a way that they meet the demands of the sacred service and are in the interests both of the beauty of divine worship and the edification of the faithful.

64. The use of musical instruments to accompany the singing can act as a support to the voices, render participation easier, and achieve a deeper union in the assembly. However, their sound should not so drown the voices that it is difficult to make out the text. When some part is proclaimed aloud by the priest or a minister by reason of his role, instruments should be silent.

65. In sung or low Masses, the organ or other instrument legitimately' admitted, can be used to accompany the singing of the choir and the people. It can also be played solo at the beginning before the priest reaches the altar, at the offertory, the Communion, and the end of Mass.

The same rule, with the necessary adaptations, can be applied to other sacred services.

66. The playing of these same instruments as solos, however, is not permitted in Advent. Lent, during the Sacred Triduum, and in the Offices and Masses of the dead.

67. It is highly desirable that organists and other musicians should not only possess the skill to play' properly' the instrument entrusted to them, but they' should also enter into and be acquainted with the spirit of the liturgy so that even when their playing is extemporized, they will enrich the sacred celebration according to the true nature of each of its parts, and foster the participation of the faithful.45

43 Cone. Vat. II: *Const. Liturg.,* n. 120.
11 Ci. S. C. Rit.: Instr. *Sacred Music* (3 Sept., 1958), n. 70.
45 Cf. above, nn. 24-25.

IX. Commissions for the Promotion of Sacred Music

68. The diocesan commissions for sacred music provide valuable assistance in promoting sacred music together with pastoral liturgical action in the diocese.

Therefore, as far as possible, they should exist in each diocese and should unite their efforts with those of the liturgical commission.

It will often be fitting that the two commissions be combined into one composed of persons who are expert in both subjects. In this way easier progress will be made.

Moreover, it is highly recommended that, where it seems it will be more effective, several dioceses should set up a single commission which will establish a common plan of action for one and the same area and gather their forces together more fruitfully.

69. The liturgical commission which is to be set up by the episcopal conference if judged ŏpportune,· ʃ should also be responsible for sacred music. It should, therefore, also consist of experts in the field of sacred music. It is useful, however, for such a commission to confer not only with the diocesan commissions but also with other associations which are involved in musical matters in the same region. Moreover, this also applies to the pastoral liturgical institute mentioned in article 44 of the Constitution.

In the audience granted on 9 February, 1967, to His Eminence Arcadio M. Cardinal Larraona, Prefect of this Sacred Congregation. His Holiness Pope Paul VI approved and confirmed the present instruction by his authority, ordered that it become part of public law, and at the same time established that it should come into force on Pentecost Sunday, 14 May, 1967.

All things to the contrary notwithstanding.

Rome, Laetare Sunday, the IV Sunday of Lent, 5 March, 1967.

AAS 59-300; S. C. Rit., Instruction, 5 Mar., 1067. Annotations in *Ephemerides Liturgicae,* (1967)—231—298; *Notitiae,* 3 (1967)-10S-108; *The Priest,* 23 (1Q67)-61O-614 (O'ConncU); *Worship,* 41 (lQ67)-322-333 (Milner).

40 Ci Cone. Vat. II: *Const. Liturg.,* n. 44.

Music: International Association of Sacred Music in Rome, canonically erected. Paul VI, Chirograph, 22 Nov., 1963 (AAS 56-231). Summary, *Clergy Monthly,* 28 (1964)–312.

Modern Music: Statement by U. S. Bishops' Commission on the Liturgical Apostolate; reported in *Catholic Mind,* 65 (Apr., 1967)-63-64.

Place of music in Eucharistic celebrations: statement by U. S. Bishops' Commission on the Liturgical Apostolate reported in *Catholic Mind,* 66 (Apr., 1968)-56-64.

Statements by the U. S. Bishops' Commission on the Liturgical Apostolate on: 1) role of the choir; 2) use of music for special groups; 3) salaries of church musicians, 18 April, 1966; reported in *Jurist,* 26 (1966)–368–370.

CANON 1269

Blessed Sacrament (Paul VI, Letter, 19 Julv, 1965) AAS 57-857.

In this letter to Cardinal Alfrink, Pope Paul VI thanks the Cardinal Archbishop of Utrecht for a copy of the Pastoral Letter of the Bishops of Holland on the mystery of the Most Blessed Eurcharist? He also congratulates the Cardinal on the fact that the Pastoral Letter presents to the people of Holland the true teaching of the Church on this "Mystery of the Faith." The most pertinent passages of the Pope's letter are these:

The fact that you chose to present to your flock for their consideration the mystery of the Most Holy Eucharist was a matter of the highest possible gratification for Us. It also gave superabundant proof of your vigilance and skill — truly called for by the needs of the times and for the spiritual good of your people — in doing all in your power to keep their piety at its height and to preserve their faith completely immune from the stain of current errors. Nothing more useful or salutary could be done for the faithful than to draw their thoughts and desires to the Eucharistic Sacrifice, perpetual memorial of the Passion of Christ, and to bring them in great numbers to the august Sacrament of the Altar in which Christ is present as the heavenly food of our souls and offers Himself as an inexhaustible fountain of grace to all who adore Him in the tabernacle.

'This pastoral letter, read in the churches of Holland on May 9, 1965, is published in a French translation in *Documentation Catholique,* 62 (1965)-1175-1179.

We are happy to take this opportunity to exhort you to persist in your pastoral projects. We are happy to tell you that whatever measures you may take to explain correctly the genuine doctrine on this great mystery according to the teaching of the Holy Church and to increase the love and worship of this adorable Sacrament will have Our heartiest approval.

AAS 57-857; Paul VI, Letter, 19 July, 1965.

Note: The Pope makes no reference, either in this letter or in the Encyclical *Mysterium Fidei,* to the common reports that the errors concerning the Blessed Eucharist which he mentions in the Encyclical had been circulated in Holland.

CANON 1274

Benediction with the Blessed Sacrament: Divine praises. See c. 2; AAS 56-338.

CANON 1276

Blessed Virgin Mary, "Mother of the Church" (Paul VI, 21 Nov., 1964, in Vatican Council II) AAS 56-1007.

In his address in the Council at the close of the third session, Paul VI solemnly proclaimed the Blessed Virgin Mary "Mother of the Church." The two key paragraphs of the declaration are the following:[1]

"Meditation on these close relationships between Mary and the Church, so clearly established in today's conciliar Constitution, makes Us feel that this is the most solemn and appropriate moment to fulfill a wish which, after We mentioned it at the end of the preceding session, very many Council Fathers made their own, pressing for an explicit declaration at this Council, of the motherly role of the Virgin among the Christian people. To achieve this aim, We have felt it opportune to consecrate in this very public session, a title which was suggested in honor of the Virgin from various parts of the Catholic world and which is particularly dear to Us because it sums up in admirable synthesis the privileged position recognized by the Council for the Virgin in the Holy Church.

[1] From the English translation published in *The Catholic Mind,* January, 1965, pp.56-64.

"Therefore, for the glory of the Virgin Mary and for Our own consolation, We proclaim the Most Blessed Mary Mother of the Church, that is to say, of all the people of God, of the faithful as well as of the pastors, who call her the most loving mother. And We wish that the Mother of God should be still more honored and invoked by the entire Christian people by this most sweet title."

(AAS 56-1007); Paul VI, Allocution at the close of the third session of the Council, 21 Nov., 1964.

Note: In the Dogmatic Constitution on the Church which was definitely approved and promulgated on that same day. 21 November. 1964, the Council had devoted Chapter VIII to "the Place of Mary. Mother of God, in the Mystery of Christ and the Church " Among several passages from this Chapter VIII which show that the Council as a whole approved and implicitly declared the doctrine underlying the title "Mother of the Church," perhaps the most striking is n. 53, which we translate from the official Latin text of the Constitution published by the Vatican Press.

53. For the Virgin Mary, who by the message of an Angel received the Word of God in her heart and in her body and brought forth Life for the world, is acknowledged and honored as the true Mother of God and of the Redeemer. Redeemed in a more sublime way in view of the merits of her Son and united to Him by a close and indissoluble bond, she is endowed with the supreme function and dignity of being the Mother of the Son of God, and therefore the beloved daughter of the Father and sanctuary of the Holy Spirit; and in virtue of this endowment of extraordinary' grace she far surpasses all other creatures in heaven and on earth. At the same time she is related to all men of Adam's race who are to be saved. She is in fact "clearly the mother of the members (of Christ) ... because she cooperated by charity in the birth in the Church, of faithful who are members of that Head." (Saint Augustine, *De S Virginitate,* 6: PL 40, 399). Wherefore she is hailed also as a supereminent and altogether singular member of the Church and as its most splendid type and example; and the Catholic Church, taught by the Holy Spirit, honors her with filial affection as a most loving mother.

Several other passages of the Constitution reflect the same thought; for example, nn. 61 and 62.

61. After enumerating the ways in which the Virgin Mary was singularly united with Christ in His conception, birth, presentation in the temple, and sacrifice on Calvary, all for the restoration of supernatural life to souls, the Constitution concludes n. 61 with this

sentence: "Q/mw *ob causam mater nobis in ordine gratiae exstitit."* "Hence she was our mother in the order of grace."

62. The next paragraph, n. 62, begins with this sentence: "And this maternity of Mary in the economy of grace continues unceasing, from the consent which she faithfully gave in the Annunciation and strongly maintained beneath the cross to the final consummation of all the elect."

It seems clear, therefore, that in proclaiming Mary "Mother of the Church." Paul VI in no way contradicted any pronouncement of the Council, but on the contrary' merely confirmed explicitly what the Council, with his approval, had at least implicitly declared.

AAS 57-5; Paul VI: Constitution *De Ecclesia;* Vatican Council II, 21 Nov, 1964. Strongly confirming the view expressed in the above note, see *American Ecclesiastical Review,* 153 (1965)–231–241 (Shea).

blessed Virgin: Mother of the Church. Paul VI, Apostolic Exhortation, 13 May. 1967 (AAS 59-465). *The Pope Speaks,* 12 (1967)-27S-2S6.

True devotion to Mary. Allocution of Paul VI, 19 Mav, 1967 (AAS 59-513).

Father Dominic of the Mother of God: Allocution of Paul VI at his beatification, 27 Oct., 1963 (AAS 55-1020). Part of this allocution was delivered in English and contained a fervent tribute to Cardinal Newman, friend and admirer of Blessed Dominic.

Mother Elizabeth Seton: Allocution of John XXIII to pilgrims in Rome for her beatification, 17 March, 1963 (AAS 55-328).

Neumann, John: Allocution of Paul VI at his beatification, which was attended by many U. S. pilgrims especially from Philadelphia where he was Bishop, 13 Oct., 1963 (AAS 55-915). English text, *The Pope Speaks,* 9 (1963–64)–170.

Rosary: Encyclical of Paul VI, 15 Sept., 1966 (AAS 58-745).

Saint Albertus Magnus: Principal Patron of the religious Province of Saint Albertus Magnus of the Order of Preachers in the United States. Paul VI. Ap. Letter, 25 Feb., 1964 (AAS 56-677).

Saint Anthony of Padua: Epistle of John XXIII to the Very Reverend Basil Heiser, Minister General of the Order of Friars Minor on the seventh centenary' of the transfer of the body of the Saint to the Basilica of St. .Anthony of Padua, 18 Jan., 1963 (AAS 55-159).

Saint Benedict: Declared principal Patron of all Europe. Paul VI, Ap. Letter, 24 Oct., 1964 (AAS 56-965). — Proper Mass (votive II class) for July 11 in all churches and oratories of Europe. S. C. Rit., 26 May, 1965 (AAS 57-542).

Saint Camillus de Lellis: Letter of Paul VI to the Very Reverend Charles Mansfeld. Superior General of the Clerics Regular for Ministering to the Infirm, on the 350th anniversary of their Founder, 1 July, 1964 (AAS 56-744).

Saint Catherine "de Vigri": Letter of John XXIII to Cardinal Lercaro of Bologna, on the fifth centenary of her death, 13 Feb., 1963 (AAS 55-228).

Saint Charles Borromeo: Fourth centenary of his coming to Milan as Archbishop. Radio address, Paul VI, 4 Nov., 1965 (AAS 58-87).

Saint Francis de Sales: Apostolic Letter on fourth centenary of his birth, Paul VI. 29 Jan., 1967 (AAS 59-113).

Saint James of Compostello: Paul VI, televised radio address to all the faithful of Spain on the occasion of a great pilgrimage to Compostello on the feast of Saint James, 25 June, 1965 (AAS 57-725).

Saint John de Brebeuf and Companions, MM: Declared principal Patrons of the Province of Lower Canada of the Society of Jesus, and secondary Patrons of the Provinces of Atlantic France, Mediterranean France, Northern France, and Paris, of the same Society. Feast, Sept. 26, I class in the said Province of Canada, II class in those four Provinces of France, according to the Code of Rubrics *(RBMR),* n. 46, c and d. Paul VI, Ap. Letter, 15 Oct., 1963 (AAS 56-297).

Saint John de Matha: Letter of John XXIII to the Very Reverend Michael of Jesus, General Superior of the Order of the Most Holy Trinity on the 750th anniversary of the death of the saintly Founder, 29 Nov., 1962 (AAS 55-31).

Saint John Francis Regis: Declared principal Patron of the Provinces of Atlantic France, Mediterranean France, Northern France, and Paris, of the Society of Jesus. Feast, 16 June, I class, according to the Code of Rubrics *(RBMR),* n. 46, c. Paul VI, Ap. Letter, 15 Oct., 1963 (AAS 56-298).

Saint Paul: Nineteenth centenary of his coming to Spain. See c. 218, ref.; AAS 56-189 and 56-207.

Saint Paul of the Cross: Letter of Paul VI to the General of the Passionists on the first centenary of the canonization, 28 Apr., 1967 (AAS 59-302).

Saint Peter Claver: Declared principal Patron of the Province of Colombia (Western and Eastern) of the Society of Jesus, and secondary Patron of the Province of Northern Mexico of the same Society. Feast, Sept. 9, I class in the said Province of Colombia, according to the Code of Rubrics *(RBMR),* n. 46, c, and II class in the said Province of Mexico, according to *RBMR,* n. 46, d. Paul VI, Ap. Letter, 15 Oct., 1963 (AAS 56-300).

Saint Raphael, Archangel: Principal Patron of tax collectors in Rome. Paul VI, Ap. Letter, 7 Mar., 1964 (AAS 56-682).

Saints Cyril and Methodius: Allocution of Paul VI commemorating the eleventh centenary of the coming of Saints Cyril and Methodius to Greater Moravia, 17 Nov., 1963 (AAS 55-1036).

Allocution of John XXIII to Oriental prelates, priests and religious on the same eleventh centenary, 13 May, 1963 (AAS 55-458).

Apostolic Epistle of John XXIII to the Bishops of the Slavic countries on the same eleventh centenary', 11 May, 1963 (AAS 55-434).

Saint Willibrord: Radio message of Paul VI to Catholics of Holland on the feast of Saint Willibrord, Apostle of Holland, 6 Nov., 1963 (AAS 55-1045).

CANON 1306

Performance of First Washing: Can be permitted to minor clerics, lay religious, lay women. See c. 329; Paul VI, 30 Nov., 1963, n. 28.

canon 1307

The Fighting Sixty-Ninth (Sec. St., Letters, 12 Aug., 1950, and 13 June, 1952) Private.

Segreteria di Stato
di
Sua Santità
N. 196278

Vatican City, August 12, 1950

Dear Reverend Father:

I have much pleasure in conveying to you the expression of the Holy Father's warm gratitude for the lich Spiritual Bouquet which you addressed to him in the name of the Fighting Sixty-ninth organization.

His Holiness is deeply sensible of the spirit of filial veneration and regard which animated the members of the organization in offering this spiritual treasury of Holy Masses, prayers, and good works for his welfare and intentions. It is a source of much consolation to the Supreme Pontiff to have the assurance that he is held in such prayerful remembrance by those who have pledged themselves to uphold in public and private life the ideal of Christian purity. His Holiness earnestly prays that our Divine Lord may prosper this praiseworthy purpose and, as a token of his paternal benevolence and gratitude, he cordially imparts to you and to all the members who so lovingly cooperated with you in making this presentation, his special Apostolic Blessing.

Assuring you of my esteem and consideration, I remain,

Sincerely yours in Christ,

C. Grano

The Reverend James P. Conroy,
National Director of the Fighting Sixty-ninth,
Our Sunday Visitor, Huntington, Indiana.

Segreteria di Stato
di
Sua Santità
N. 275948

Vatican City, June 13, 1952

Reverend and dear Father:

His Holiness has learned with pleasure of the forthcoming rally of the members of the Fighting Sixty-ninth Association and, graciously acceding to the request submitted by His Excellency the Bishop of Fort Wayne, has instructed me to convey to you and to them this expression of his paternal encouragement.

The Holy Father was gratified to note that you chose the fiftieth anniversary of the martyrdom of St. Maria Goretti, the heavenly patroness of your association, as the occasion for this rally, the better to invoke her virtues and honor her memory. The Supreme Pontiff feels that if the example of her heroic fortitude has stirred the hearts of young people throughout the world, it is because they know from personal experience how easily frail human nature, in the concrete circumstances of every-day living, may fail to measure up to the high ideals of the Christian way of life unless sustained by the grace of God. It is for this reason too that those who militate in the ranks of the Fighting Sixty-ninth turn to her in prayerful confidence that she, by her intercession, may obtain for them the grace to face the spiritual battle of life with the courage that comes from deep faith in God, so that, fighting valiantly and perseveringly in the spirit of confidence that springs from divine hope, they may daily advance in the practice of the love of God.

It is the earnest prayer of the Sovereign Pontiff that the members present at this rally, as also those who, scattered throughout the world are united in spirit in the novena of prayer which finds its culmination in this rally, may renew their resolve to uphold and spread the high ideals of the Association so that, fearless in the practice and defense of Christian virtue, they, as good soldiers of Christ, may be blameless in their personal conduct and, guarding the outposts of their hearts with the flame of purity, may preserve their souls undefiled as inviolate temples of the Holy Spirit. With this prayerful wish. His Holiness, as a pledge of his paternal benevolence and encour-

agement, cordially imparts to you and to the promoters and members of the Association his special Apostolic Blessing.

Assuring you of my esteem and consideration, I remain,

Sincerely yours in Christ,

J. B. Montini, Subst.

The Reverend James P. Conroy,
National Director of the Fighting Sixty-ninth,
Our Sunday Visitor, Huntington, Indiana.

(Private) ; Sec. St., Letters, 12 Aug., 1950 and 13 June, 1952.

Note: The Fighting Sixty-ninth is not an association but a movement, a campaign in which Catholic youths of both sexes pledge themselves to greater purity of life. Founded in 1949 by its present National Director, the Right Reverend James P. Conroy, it takes its name from the New York regiment famous as the "Fighting Sixty-ninth" in the first World War. The name symbolizes the central purpose of the movement, which is to enlist American youth in a spiritual battle for the ideals of the 6th and 9th Commandments of God. The challenge it presents to youth is that this spiritual warfare requires the same courage and devotion to duty which were displayed under fire by the men of the renowned Sixty-ninth Regiment.

The pledge which is made and signed individually by each member reads as follows:

As a Campaigner in the Fighting Sixty-ninth:

1. I pledge myself to live and fight for the ideals of the 6th and 9th Commandments, and in particular for more decency in word, action and dress; also to let others know where I stand in such matters in the hope of leading them to greater purity of life.
2. I hope to maintain the ideals of the Fighting Sixty-ninth by cultivating a strong personal devotion to the Sacred Heart of Jesus and to the Immaculate Heart of Mary.

This pledge is not a vow. It adds nothing under pain of sin to the obligations of the 6th and 9th Commandments; but it is a definitely accepted personal resolve to follow the noble ideal of more perfect purity, not only individually but socially, that is by open profession and good example.

Saint Mary Goretti is the chosen Patroness of the movement, a choice which was made on the very day of her canonization, 24 June. 1950. when Monsignor Conroy, the founder and National Director attended the canonization of the young Saint in Rome, and per-

sonally presented to His Holiness Pius XII the spiritual bouquet from 90,C00 Campaigners, which is mentioned in the above papal Letter of 12 August, 1950. In the later Letter of 13 June, 1952, His Holiness refers to the first nation-wide novena to Saint Mary Goretti, which was being promoted by Monsignor Conroy and was actually celebrated on July 6, 1952, the fiftieth anniversary of her heroic death in defense of her purity. Pius XII declared Mary Goretti a Patroness of modern youth and set July 9 as her feast day (AAS 43-826). The annual novena is now observed on this day, July 9.

The quiet but noteworthy success of this movement, proved by the experience of the years since its foundation in 1949, is probably due to the strong appeal of its challenge to American youth and the individual and wholly spontaneous method of enrollment. There are no mass enrollments by officials of schools or sodalities. Existing associations, schools, retreat groups, and the like, can and do further the movement, but always through the initiative of youth leaders themselves, never by authoritative action.

Requests for explanatory pamphlets, sample pledge-cards and the prayers of the Novena to Saint Mary Goretti can be addressed to Father Conroy, Fighting Sixty-ninth Headquarters, *Our Sunday Visitor,* Noll Plaza, Huntington, Indiana.

CANON 1308

Extraordinary Post-Conciliar Jubilee: Faculty of confessors to absolve from private reserved vows. See c. 222; AAS 57-946.

CANON 1322

Church in Our Day: Collective pastoral (22,000 words) approved by U. S. Bishops, 16 Nov., 1967, and released to the public on 21 Jan., 1968; published in booklet form by U. S. Catholic Conference, 1312 Massachusetts Ave., N.W., Washington, D.C., 20005; summary reported in *Catholic Mind,* 66 (Feb., 1968)-5-10.

CANON 1324

Doctrine: Strange current interpretations. Sec c. 222; AAS 58-659.

Historical Truth of the Gospels. Sec c. 1366; AAS 56-712.

Original Sin: Paul VI, Allocution to "Symposium" of theologians and scholars, 11 July, 1966 (AAS 58-649). English version in *The Pope Speaks,* 11 (1966)-229-235.

Theological Qualification of Doctrine in the Dogmatic Constitution on Divine Revelation. See c. 222, Notification appended to the Decree.

CANON 1326

Annual Statements of the U. S. Hierarchy: 1963: 17 Nov.: *Catholic Mind,* 62 (Jan., 1964)-56-63;
1966: 14–18 Nov.: *Catholic Mind,* 65 (Feb., 1967)-55-64.
Racial Justice: Pastoral Letter of Archbishop Lawrence J. Shehan of Baltimore, 1 March, 1963. *The Catholic Mind,* May 1963, p. 54.
Teaching Authority of Bishops. See c. 222. Decree on Pastoral Office of Bishops, nn. 2 and 3.

CANON 1327

Dialogue: Lenten lectures in Basilica of Saint Mary Major for cultured and intellectual circles, instituted by Paul VI, *Motu proprio,* 25 Jan., 1966 (AAS 58-113).

CANON 1334

Aid of Religious to Bishops. See c. 222, Decree on Pastoral Office of Bishops, n. 34.

CANON 1350

Consecration of Fourteen Missionary Bishops from various parts of the world in St. Peter's Basilica. Allocution of Paul VI, 20 Oct., 1063 (AAS 55-1014).
Missions. *China,* fourth centenary of first admission of Christian missionaries. Letter of Paul VI to Cardinal da Costa Nunes, Legate to the celebrations at Macao, 10 Nov., 1964 (AAS 57-158).
Pontifical Missionary Works. Allocution of Paul VI to the Cardinal Prefect, Moderators and Consultors of the Pontifical Missionary Works after their annual meeting, 14 May, 1965 (AAS 57-517).
Seminary of Pontifical Institute. See c. 218, ref. (AAS 57-999).
Work of Saint Peter the Apostle. On the occasion of the 75th anniversary of the foundation of this Work, Paul VI, in an Apostolic Letter to Patriarchs, Primates, Archbishops and Bishops of the whole Catholic world, reviews the history of the Work and recommends it in view of the growing needs of the Missions. He recommends in particular that a day each year be designated on which high school students be urged to promote this Work by prayers and alms. Ap. Letter, 22 Feb., 1965 (AAS 57-301).
World Mission Day. See c. 218, ref. (AAS 57-919).
Implementation of Decree of Vatican II. See c. 222, *Motu proprio,* 6 Aug., 1966; AAS 58-757, III, 1 ff.
Pontifical Missionary Works. See c. 218, ref. (.AAS 58-480).
Priests for service. Paul VI ordained to the priesthood 62 students of

the Pontifical College of Propaganda Fide, from 23 mission countries, in St. Peter's. His allocution on that occasion, Epiphany, 6 Jan., 1966 (AAS 58-137).

Missions: Message of Paul VI to entire Catholic world on promoting missionary work, 22 Oct., 1967 (AAS 59-980).

Pontifical Missionary Works: Allocution of Paul VI, 12 May, 1967 (AAS 59-515).

CANON 1352

Seminaries: Special office for, in S. C. for Catholic Education. See c. 242; Paul VI, Ap. Const., 15 Aug., 1967, n. 77.

CANON 1353

Priestly and Religious Vocations: Universal day of prayer for. See c. 487; AAS 56-396.

Vocations: Allocution, Paul VI to national directors of Works for Ecclesiastical Vocations, 3 Dec., 1966 (AAS 59-34). English version in *Australasian Cath. Record,* 44 (1967)-182-185.

CANON 1354

Seminaries: Council of Trent, decree on Seminaries: fourth centenary celebrated on feast of Saint Charles Borromco, 4 Nov., 1963. Apostolic Letter of Paul VI for the occasion (AAS 55-979); English version in *The Pope Speaks,* 9 (1963-64)-239-250; *Review for Religious,* 23 (1964)–257–272. Allocution of Paul VI on this occasion (AAS 55-1030); English version in *The Pope Speaks,* 9 (1963-64)-234-238; *Review for Religious,* 23 (1964)-385-389.

CANON 1358

Spiritual Directors: Allocution of John XXIII to participants in pedagogical course for, in seminaries; he stresses their influence, educational problems, responsibilities, inspirational role, 9 Sept., 1962 (AAS 54-673); English version in *The Pope Speaks,* S (1962–63)–259–264; *Review for Religious, 22* (1963)-257-262.

CANON 1363

Re-admission of Ex-Religious and Ex-Seminarian Into Seminary (S. C. Sem. et Univ.) Private.

The following circular letter was sent through the respective Apostolic Nunciatures to all local Ordinaries.

By commission of the Sacred Congregation of Seminaries and University Studies I have the honor of communicating the following to Your Excellency.

After the promulgation of the *Motu proprio, De Episcoporum muneribus,*1 doubt has arisen whether the Ordinaries are still obliged to have recourse to the Holy See in cases of re-admission of ex-religious and ex-seminarians into the seminary in accord with the decrees issued by the said Sacred Congregation: *Consiliis initis* of 25 July, 1941,2 and *Sollemne habet* of 12 July, 1957.3

The question has been submitted to the august consideration of our Holy Father. His Holiness has replied that the said decrees *continue in jorce* because he does not see either the opportuneness or sufficient reason to exempt the Ordinaries from the obligation of recourse to the said Sacred Dicastery in the cases envisaged in the above-mentioned decrees.

(Private); S. C. Sem. et Univ., undated; reported in *Vida Religiosa,* 24 (1967)-494.

CANON 1364

Latin: Pontifical Institute of Higher Latinity established. Paul VI, *Motu proprio, 22* Feb., 1964 (AAS S6-22S).

CANON 1365

Instruction on Liturgical Training of Seminarians (S. C. Sem. et Univ., 25 Dec., 1965; 14 Jan., 1966) Private.

This instruction, *Doctrina et exemplo,* was not published in *Acta Apostolicae Sedis* but published in special booklet form and sent directly to each seminary rector and prefect together with a covering letter. Both follow.

LETTER

Since the Supreme Pontiff has given this Congregation a mandate to prepare, as soon as possible, an "Instruction on the

1 Reported above in this volume, p. 394.
2 Reported in Canon Law Digest, 2, p. 426.
3 Reported in Canon Law Digest, 4, p. 387.

Liturgical Training of Seminary Students," the Congregation has striven to effect this business with the greatest possible speed and diligence.

In drawing up this instruction, however, special attention has been given to carrying out those matters which were provided for the proper training of seminarians in the Conciliar constitution on the sacred liturgy. Wherefore, among the various facets of liturgical formation, special provision must be made that in the program of theological studies, in keeping with the command of the Ecumenical Synod, a greater place should be given to the study of the sacred liturgy. This is accomplished in Chapter IV (The Curriculum for Liturgical Training) and in the subjoined 'Outlines."

In order, then, that this instruction may be duly made known to you and that it may be brought to fulfillment in what concerns the program of studies, we take pleasure in sending you this copy. Moreover, we deem it fitting to note that if, in accord with the norms of the aforementioned instruction, any innovation is to be made in your seminary studies, the matter should be postponed for fulfillment to the next academic year.

(Private) ; S. C. Sem. et Univ., Letter, 14 Jan., 1966, Prot. No. 103/65.

INSTRUCTION

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FOREWORD

1. By His teaching and example the Lord Jesus tried during His public life to accustom His disciples to the practice of prayer in common. Not only did He attend temple services with them so as to be present at the rites prescribed by Mosaic law but He also gave them the formula of the Lord's Prayer and the model of the great Eucharistic Prayer. These prayers make up the chief constituents of the Church's public prayer. Consequently, it was a matter of concern to all pastors in the Church to preside personally at the liturgy as well as diligently to supervise its observance and the proper progress of its various forms.

2. Abiding by these traditional principles, the Supreme Pontiffs in recent times have been especially solicitous about the teaching of the sacred liturgy in seminaries and about the formation of seminarians in that function which they will discharge in the public performance of prayer. Furthermore, the constitution of Vatican Council II on the sacred liturgy, *Sacrosanctum Concilium*,[1] strongly insisted on this formation which is to be continued through the whole course of ecclesiastical studies and which the priests themselves should continue and perfect during all their priestly life. Only pastors who are well imbued with the doctrine and practice of the liturgy will be able to teach the faithful and bring them to an intelligent and fervent participation in the various liturgical actions of the Christian community.

3. The liturgy in its earthly form recalls to mind and permanently renews the mystery of salvation (the paschal mystery). As a result, it shines forth in several ways:

— it is a public manifestation of the indefectible holiness of the Church and is one of the most conspicuous signs of its divine origin;

— it is a cry springing from its soul to the Father under the inspiration of the Holy Spirit;

[1] Reported above, pp. 32-67.

— it is perfect praise and adoration in spirit and in truth which in Christ and through Christ renders all honor and glory to God;

— it is an ever efficacious instrument for the purification and sanctification of mankind;

— it is the most apt and universal teaching device for the training and formation of the Church's children;

— it is a luminous and discerning contemplation of the entire treasure of revelation;

— it is not only a thoroughly efficacious form of the apostolate of work but also the most extensive and safe form of the apostolate of prayer;

— it is the outstanding exercise of supernatural charity, founded on the communion of saints, for completely bringing about the living unity of the Church;

— it is, finally, an anticipation of the eternal praise which has already begun in heaven and with which it constitutes a single, integrated worship and towards which it tends unfalteringly precisely as to its fulfillment.

4. Everyone who admits this very broad significance of the liturgy also discovers at once its special properties which are suited for exercising its influence on the total formation of those who aspire to the priesthood because:

— the whole liturgy is based on Christ the Priest and especially on His redemptive sacrifice which actually continues in the most holy Eucharist;

— the liturgy is above all a sacred action performed by the Church and directed to God; all her other functions of sanctifying and teaching whereby she looks after mankind, outstanding though they be, are nothing but the by-products of this primary' purpose or the means for achieving it;

— the liturgy is always carried into effect by an action which is internal and, at the same time, external: external, since it is public; internal, since it is true and sincere. The internal element is not only constituted by the thoughts and inner feelings of the minister and those present but also includes the existing internal life of the other members of the Church which signifies and expresses her total life in every ceremony which is truly liturgical;

— this participation ought to be, above all, supernatural and,

therefore, rooted in faith, hope and charity. Moreover, its special efficacy does not depend on theatrical setting or on the number of participants but on the consuming fervor of their spiritual life and union with God;

— liturgical worship, precisely because a public act of the Church is necessarily hierarchical and, as a result, is subject to the prescriptions of the competent authority. Consequently, the choice of individuals and their disobedience to lawful prescriptions by that very fact changes the liturgical nature of the act; it is no longer the worship of the Church but the private worship of one person or some special group.

5. Therefore, the attention and study of the seminarians must be roused and turned to the liturgy by showing them how from liturgical life their souls are enriched and they are duly prepared for the future exercise of the pastoral ministry.

6. The liturgy, more than anything else and in various ways — doctrinally, spiritually and humanistically — enriches the very life of the future sacred minister. Indeed, the liturgy, precisely as the actuation of redemption itself, conjoins in the unity of one and the same vital action the exercise of faith, the totality of theological knowledge, and moral action. Thus in the performance of one work, it unites many facets of Christian life. Certainly, as significant of doctrine, the liturgy detracts not at all from objective faith and theology on which it rests, but elevates it from the realm of speculative knowledge to the life of w'orship. On the other hand, in as far as it is the celebration of mysteries, it wonderfully contributes to creating and augmenting a sense of God and to accustoming souls in an efficacious manner to have reverence for divine transcendence. For this reason, the liturgy similarly forestalls the transmission of theology as fragmented and mutually distinct disciplines, and, for the same reason, provides that their use be rendered facile in future ministerial work. Really, the ecclesiastical disciplines, if illuminated by liturgy's light, receive a new force: Sacred Scripture finds a fuller meaning; dogma flowers into adoration; morality turns into loyal adherence; history becomes the proclamation of Divine Providence; law moves on to prescribe love.

7. For promotion of the spiritual life of seminarians, the liturgy, above all, enters as an ascetical discipline to that measure in which it makes them actual participants in the

paschal mystery of Christ and, for that reason, imposes discipline in the religious observance of rites; renouncement of self which almost disappears and is obscured in common enterprise; purification of heart necessary for penetrating the mystery contained in symbols whereby it is covered over and concealed.

Further, the liturgy is an especially fine school for prayer since it supplies materials and basic attitudes on the one hand, and, on the other hand, an excellent pattern as well as intentions which are, for the most part, of a universal character.

Finally, the liturgy is a school of supernatural contemplation which, under the inspiration of the Holy Spirit, brings it about that, because of the dim light derived from the mystery of faith through sacred signs which link them with God without, however, fully revealing Him. they preserve and increase in their soul a desire for more perfect union.

8. Even the merely humanistic development of the seminarians will derive benefit from the liturgy for it is often objected that the training of future sacred ministers is deficient from a humanistic viewpoint because of the seclusion protracted through several years by the mode of scholastic' life so that they live separated from association with people and spend little time in performing some sort of external work. In a notable way the liturgy supplies a fitting remedy for this inexperience. The liturgy, inasmuch as it is the performance of a certain work, naturally calls forth various capacities which are required in the agent, by compelling the young cleric to exercise not only the knowledge acquired but all his own natural industry and talents. Conversely, as the performance of a common undertaking, the liturgy develops his social capacities by giving him its characteristic sense of community and place in addition to a sense of in-service training and fellowship with his brethren.

Moreover, in the best way possible, it promotes regard, moderation and prudence. Lastly, when the media of art, poetry, and music are employed, the liturgy is a wonderful kind of artistic school which in the course of centuries has produced the greatest masters, drawn their native abilities on to creating very beautiful works, and, consequently, nurtures the total life of those who will preserve in their souls zeal for the house of God.

9. Besides enriching the seminarians, the liturgical life, in a special manner, also prepares their souls in a fitting way for the

fruitful exercise of the priestly ministry. Nobody, certainly, is ignorant of the great efficacy of properly performed liturgical action in which the purposes of both celebrant and faithful come together. Only if the priest is so trained that he himself clearly perceives the meaning and force of the liturgy will he be able to present the sacred rites to the faithful with due understanding, love, and prudence and, in accord with the Church's prescriptions and without any kind of doctoring, accommodate them to the different groups for whom he performs liturgical acts.

10. Furthermore, this formation uncovers all the wealth of the liturgical texts and rites which will become the daily nutriment of priestly preaching which will, in turn, find its proper and appropriate place in the very center of the celebration of sacred functions.

Finally, an eager interest in the liturgy will bring it about that the priest, on his own initiative, will harmonize in every sacred rite recollection, calm and fervor of soul whereby the celebration will turn out acceptable and very efficacious for the spiritual formation of the assembly of the faithful.

11. Accordingly, since the liturgical training of seminarians is to be considered of such great importance and influence that the Sacred Ecumenical Synod did not hesitate to affirm that no advancement of the faithful (namely, that they imbibe a truly Christian spirit from the liturgy as from the primary source) can be hoped for "unless the pastors themselves are deeply imbued with the spirit and power of the liturgy," this Sacred Congregation has decided to issue an appropriate instruction on the liturgical training of clerics by reviewing and more profusely elaborating those principles and precepts which are spread throughout the Conciliar constitution and whose implementation has been appropriately provided for in the instruction.

♦Consequently this instruction faithfully adheres to the constitution of Vatican Council II, *Sacrosanctum Concilium* (4 Dec., 1963, .4..4.5., 56Γ19641–97-134) and to the instruction, *Inter Oecumenici* (26 Sept., 1964. .4..4.5., 56 [1964]-S77-9OO). The citations from these two documents arc reported according to the sequence of numerals in them which arc preceded by the symbols CC. *(Constitutio Conciliaris)* or *IE., (Inter oecumenici).* [Both documents arc reported above on pp 32 and 73 respectively.

CHAPTER I

Fostering the Liturgical Life in the Seminary

12. The Bishop is responsible for the liturgical training of his clerics. As a result, he will be vigilant and solicitously careful both in selecting teachers and in demanding an accurate implementation of this instruction. Further, where necessity calls for it, he will, without any hesitation and in accord with the plan proposed below, promote a complete reformation of liturgical practice in the seminary.

13. Moderators and professors, since they are delegates of the Bishop and executors of his will, will diligently undertake to carry out, each according to his role, the various phases of liturgical training. Moreover, in order to derive greater benefits from the program, they will voluntarily collaborate among themselves.

Art. 1: *Sacred Celebrations in General*

14. It is altogether necessary that the greatest care be employed in the seminary especially in the celebration of the sacrifice of the Mass and of the Divine Office because of the importance which the Church attributes to the liturgy and in order that the liturgical life of the students may fully accord with the will of the Council as manifested in the constitution on the sacred liturgy.

15. The language of the liturgy, Mass, and Office, in seminaries will be Latin which is the language of the Latin Church and which all clerics are required to know (CC., nn. 36, §1 and 101, § 1). Nevertheless, it will be worth while to use the vernacular in the celebration of Mass on some specified days (e.g., once a week) — that is, in that degree which is permitted by the legitimate authority for each region and confirmed by the Holy See. This is allowed so that the clerics will be better prepared for the rites which they will perform in that language in the parishes. Consequently, the use of the vernacular must never become the general norm to the detriment of the Latin language. The reason is that the Church, in granting the use of the vernacular, does not wish that clerics should on that account believe themselves exempted from having recourse to the very sources or, in their preparation for the priesthood, neglect, even in the slightest way, the common language of the Latin Church.

16. "Liturgical services shall be celebrated as perfectly as possible. Therefore: *a)* the rubrics shall be carefully observed and the ceremonies becomingly performed under the diligent vigilance of moderators; *b)* clerics shall frequently fulfill the liturgical functions of their Order, that is, of deacon, subdeacon, acolyte, lector, and, in addition, of commentator and cantor" *(IE.,* n. 13).

17. All celebrations should be performed not only with accuracy but also with attention to the perfection and good taste which must be employed in the discharge of divine service. In this way future pastors will train themselves to that manner of life which will mark them out and increase in the faithful a sense of the sacred and its requirements together with an interest and taste for prayer.

18. Wherefore, unless he is in attendance, there should be a master of ceremonies who will teach each one his part and see to it that all transpires worthily and tastefully. To this end, he should instruct the clerics regarding each one's proper functions, using for this purpose the very text of the law so that they themselves may know how to use it when the needs of priestly ministry will call for it. Moreover, whenever it seems necessary, there should be rehearsals, especially as regards sacred rites which are rather difficult and unusual, and even more elaborate rehearsals when the clerics are called upon to participate in sacred celebrations at the cathedral church.

19. The seminary "church and oratories, sacred furnishings and sacred vestments shall afford an example of genuine Christian art, including contemporary art" *(IE.,* n. 13. *c.).* In addition, care should be taken that, in as far as possible, the church be equipped with an organ (cf. *CC.,* n. 120).

20. Furthermore, all students, in accord with the intent of the constitution and liturgical law, should actively participate, especially in community singing. Besides, all who are qualified should take part in the *schola cantorum.*

21. Liturgical chants will, for the most part, be drawn from the treasury of Gregorian chant because "the Church recognizes Gregorian chant as suited to the Roman liturgy; hence, other things being equal, it should be given the first place in liturgical services" *(CC.,* n. 116). However, it is allowed that the seminary *schola cantorum* draw chants also from the rich repertoire of

classical and recent polyphony which expresses fidelity to the texts, and, with real devotion, the liturgy of the Church and worthy praise of God (CC., *ibid.*').

22. Although particular care must be taken that the seminarians constantly hold fast to the treasury of music proper to the Church universal (cf. CC., nn. 112; 114), nevertheless, it must be recommended that they also learn to use the liturgical repertoire composed in the language native to the people and approved by the competent territorial authority (cf. CC., n. 118).

Art. II: *The Sacred Mystery oj the Eucharist*

23. Mass, the center of all spiritual life, should be celebrated every day of the week and all the seminary clerics should participate in it. It will, however, be celebrated by using different forms which will be more appropriate to bring out better the diverse functions in the liturgical assembly and foster active participation by all the students. Nay more, it is desired that the clerics be led on by actual use to the different forms of Mass which they will have to celebrate with the people in the parish.

24. On Sunday, however, and on other more solemn feasts Mass shall be sung with participation by all in the house and preferably with deacon and even with subdeacon as allowed. As will be declared below, there should be a homily at the Mass and the students should be earnestly exhorted to receive sacramental Communion from the same sacrifice. It is recommended that, provided the Ordinary has given permission, the priests of the seminary who do not have to perform some ministry outside, concelebrate Mass in order the better to show the unity of priesthood and sacrifice.

25. Participation by the clerics in the liturgy in the cathedral church should be had at least on the more solemn feasts and particularly when the city clergy themselves are present. If, indeed, all the faithful "should hold in great esteem the liturgical life of the diocese centered around the Bishop, especially in his cathedral church" (CC., n. 41), the seminarians will provide an example. For the Mass of the Bishop with his priests and ministers standing around the altar with him is the outstanding manifestation of the life of the diocese. Moreover, in the performance of liturgical functions in the cathedral church, seminarians should

also be employed as ministers in the liturgical office befitting the Order in which they are.

Art. III: *The Divine Office*

26. It is very fitting that the clerics, even though not yet held by the obligation of the Divine Office, should daily and in common recite Lauds in the morning and Vespers in the evening with exact observance of the time of the hours. Moderators should also, as far as possible, participate in this celebration. It is clear that these hours which have been solemnly commended by Vatican Council *(CC.,* n. 89), would be beneficially substituted for the customary morning and evening prayers. By this common recitation of the psalms the students will acquire for themselves a taste for and an acquaintance with the Divine Office (/£., n. 16). Furthermore, on the more solemn feasts these two hours should be sung entire.

27. Although, in general, the recitation of Vespers is to be preferred to the recitation of Compline, still, in view of the actual time of day, Compline is now and then to be selected. But if Compline is not recited in common, it is recommended that the students take from it the basic parts of their private prayer before retiring.

28. Praiseworthy will be the occasional introduction of some one of the Little Hours, e.g., Terce before morning classes, or Sext before the noon meal, or None before the afternoon classes.

29. Unless there be some kind of impediment, e.g., the distance of the seminary, the students should, as opportunity affords, take part in Vespers or the other hours of the Office which are celebrated by the Bishop and the people, especially in the cathedral church *(IE., n. 16).*

30. When the daily order schedule of the seminary is spelled out, care must be taken that clerics in major Orders be given sufficient appropriate time to pray the Divine Office worthily and conveniently *(IE.,* n. 16). They must also be earnestly encouraged to that common celebration which has been recommended by the Council *(CC.,* n. 99) and which must be discharged not only with accuracy but also with that perfection which should be employed when rendering divine service.

31. In order that a readier and richer harmony between minds, choirs, and voices be had in singing, special provision must be

made that clerics, in keeping with their age and ability, be instructed in the proper understanding of the psalms. They should also be diligently taught the grandeur of divine praise according to the mind of the Conciliar constitution (cf. nn. 83-86, 88, 90).

CHAPTER II

Spiritual Training for the Liturgy

32. It is evident that the worthy and attractive celebration of sacred rites in the seminary will hardly suffice to teach them to participate in the sacred liturgy now in an "intelligent, active and beneficial way." and to instruct them to base their spiritual life on it and to pass on this information to others at a later date. For this, spiritual training is necessary for the students.

33. However, formation in liturgical piety cannot be fittingly had unless the prefects themselves have made the liturgy the nutritive element of their own spiritual life and consider it a necessary source for a complete and true Christian spirit. This attitude is really required in all whose work consists in training clerics.

34. This kind of training is by no means to be neglected in minor seminaries or colleges for the younger men. Rather their first concern will be to enrich and develop that training which has been received in the intimacy of the Christian family and the parish. Moreover, this training will not strive to give just simple notions but, rather, to generate a taste and interest in matters liturgical and, in addition, to inject itself into an integrated, humanistic formation of which it will be, as it were, the bloom and the climax since liturgical education depends very much on this humanistic formation,

35. When training clerics in the spirit of the liturgy, consideration shall, moreover, be had not only of those who have been initiated even from childhood in liturgically spiritual life but also of those who took their first steps in this direction in their adult years. As a result, the paschal mystery of Christ which is renewed by the liturgy and communicated in the sacraments and to which life is to be conformed, should be proclaimed to each one in his own way (cf. *CC.*, nn. 5-7; *IE.*, n. 6).

36. Consequently, solicitous care will be exercised that in the course of the liturgical celebrations as such, the moderator or other qualified priest give a homily in the spirit defined by the instruction *Inter oecumenici* (nn. 53-55). The homily is never to be omitted on Sundays and holydays of obligation; it is strongly recommended for the ferial Masses during Lent. Indeed, it is praiseworthy to have a daily but very brief homily.

37. As regards spiritual reading, over and above the Sacred Scriptures, let them read not only recent treatises on asceticism and mysticism but also the writings of the holy Fathers as well as books which deal with the holy sacrifice of the Mass and the liturgical year, and, in general, whatever is conducive to fostering truly liturgical devotion. The spiritual fathers will urge their charges to reading of this kind in keeping with the needs and propensities of each one and assist them in the selection of books. Furthermore, they will teach the students to take cognizance of theological and ascetical works which point up the holy sacrifice of the Mass and offer a plan for intimately joining themselves with it.

38. Spiritual directors should also see to it that the sacramental gifts which the liturgy bestows are used to develop the souls of their charges in perfection of life. The helps provided by the liturgy should have preference over others. In imitation of the example of the Church for whom the liturgy is her characteristic form of spirituality, they will assist the students to penetrate the mystery of Christ renewed by the liturgy and, in a way, wrought once again, so that they will be governed by it and unite their own work with it. Therefore, a knowledgeable and active participation in the public worship of the Church will be a necessary nutritive of the spiritual life of the clerics and a noteworthy means of furthering it.

39. There should, then, be special inculcation of reverent adoration and particular devotion to be shown to the Body and Blood of Christ really present under the species of the Eucharist. Strongly recommended are thanksgiving after Mass, reception of Communion in proportion to each one's readiness, and the making of a daily visit to the Blessed Sacrament.

40. So far from belittling or placing obstacles to profound meditation, liturgical life should stir it up and nourish it with the spiritual texts and the liturgical formulae *(I.E.*, n. 14). This

point should be frequently driven home for the students and pointed up by examples.

41. The other exercises of piety which obtain in seminaries by law or by traditional custom should be held in due honor and they should not be imprudently bypassed by a rash interjection of liturgy. On the other hand, they must not be given preference over the liturgy "since it by its very nature far outranks them" *(CC.,* n. 13; *IE.,* n. 17). Moreover, with due consideration of the liturgical seasons, they should be so ordered that they harmonize with the sacred liturgy and appear to spring from it in some way *(ibid.).*

42. The administration of the seminary and its program of living should be deeply influenced by the liturgical spirit (cf. *CC.,* n. 17). Sunday and the cycle of the liturgical year should stand out in the passage of the seasons. Sunday should really be a special feast day distinguished not only by the solemn celebration of the liturgy but also by community joy and by freedom from the daily toil (CC., n. 106). To be encouraged also is the common exercise of those activities which Christian custom and usage have introduced and which harmonize with the changing seasons of the liturgical year *(IE.,* n. 14 *in fine).*

43. Devout care and respect should accompany everything which in any way pertains to the worship of God. Therefore, silence and recollection of soul should be observed in the chapel: proper manifestations of reverence should be made to the Sacred Scriptures, the book of the gospels, the missal, and the sacred vessels. Moreover, the same reverence which is manifested during sacred rites should also be had outside those rites and should characterize one's whole life.

CHAPTER III

Practical Training for the Liturgy

Art. I: *Pastoral Formation*

44. The seminarians right from the start of their seminary training must, according to their age, be gradually prepared for the sacred ministries to which the Church calls them. As a consequence, it is very desirable that they learn the various ways of exercising them. Wherefore, especially in the last two years of the

seminary, they should be sent out to the parishes every month for one or two Sundays to help the priests laboring there.

45. For this purpose let those parishes in particular be chosen in which the liturgical life better conforms to the desires of the Church. It matters a great deal that the clerics learn respect and reverence for the liturgy as well as find out from experience the wisdom of the norms established by legitimate authority.

46. On the other hand they will be taught the special hardships under which those parishes labor which lack sacred ministers and where, from necessity, the priest is practically alone in the performance of liturgical celebrations. At the same time, however, they will be impressed with the duty of the priest, in keeping with the traditional practice of the Church, to train the assistants required for the simple but yet becoming performance of liturgical rites.

47. Clerics should be prepared for the difficult role of commentator in the liturgical rites of the parish. They should learn to discharge that office with due prudence and seriousness, taking care to realize that the commentator should never interpose himself like a curtain between the sacred rite transpiring at the altar and the assembly of the faithful called to participate in it. Priests who are expert in this field will carefully supervise and adjudge the endeavors of the students.

48. The seminarians should learn by appropriate experimentation to prepare a complete parish celebration either singly or conjointly with others: they should think out a plan for properly presenting a liturgical catechesis to the faithful; they should spend time studying the text of the Sunday Mass, weigh its lessons, and prepare recommendations. They should look over the chants to see which, in accord with liturgical law, will better harmonize with it. They should instruct the readers and other ministers of the liturgical assembly by practices ahead of time.

49. After due consideration the clerics should similiarly be employed in the ministry of sacramental liturgy, namely, for the sacraments of initiation and for the liturgy of marriage and burial. Consequently, they should learn the rubrics which are necessary for the valid and the worthy administration of the various sacraments. Likewise, they should learn a method of stirring up and fostering internal and external participation in the liturgy of the sacraments by the faithful.

50. Finally, the clerics must be given timely warning that the liturgy does not exhaust the total activity of the Church *(CC.*, nn. 9-11); similarly let them be taught how, with the help of the very texts of Vatican II, the different functions of a pastor should be properly intergrated with the sacred liturgy *(IE.*, n. 7).

Art. II: *Training Regarding Sacred Music*

51. "Sacred chant united to words constitutes a necessary or integral part of the solemn liturgy" *(CC.*, n. 112). Its study, then, is not a useless search for the beautiful since any kind of liturgical formation which neglects sacred chant is necessarii}" deficient. And so "great importance is to be attached to the teaching and practice of music in seminaries, in the novitiates and houses of study of religious of both sexes ... In order to secure this instruction, the masters who are to teach sacred music must be thoroughly prepared" *(CC.*, n. 115).

52. Sacred music must be included among the branches of knowledge necessary for the due training of seminarians. As a result, it must be given from the initial courses of study to the theological course for a suitable period of time and in an appropriate program. Just as for all the other disciplines, so also in that of sacred music the students are obliged to undergo an annual examination. Therefore, every seminary should have a trained professor of sacred music and he is to be aggregated to the faculty of professors with all the consequences of such aggregation.

53. All the seminarians should acquire an adequate knowledge of the Gregorian melodies, especially of those which are best known. Frequent use of them will enable them to memorize, even in the seminary, both the simpler as well as the more elaborate chants of the ordinary of the Mass which are commonly sung by the Christian populace.

54. They should also be given the basic principles for directing a choir so that they may be able to direct at least the *Kyrie* chant and the psalmody in a befitting way as well as to moderate the vernacular songs and voice parts.

55. The students should also be taught other kinds of music. Similarly, (hey should be instructed in popular chant which is truly religious, not only that of recent times but also that which has been preserved by oral tradition among their own people.

56. If it does not already exist, there should be set up in each seminary a *schola cantorum* which will be directed and trained by a competent choir director. The *schola* must, however, observe the norms given by the competent authority for liturgical music.

57. Seminarians who are already acquainted with playing the organ, should diligently continue this type of education in the seminary and should be helped in this area by some kind of program. On the other hand, those who are more talented in this line should, after completion of their studies, be sent to higher schools of music so that they can complete their training.

58. Effort should be made that there be a sufficient supply of clavicymbals and lesser instruments so that the students may conveniently practice on them. Likewise, so as to have a readier and better rendition of liturgical chants, it will be appropriate that the seminary have at hand teaching devices, e.g., chants recorded on tapes, recordings, and similar contrivances.

59. It is of very great concern that the priest's manner of speaking — whether he is praying, speaking, or reading — be refined and come out clear and pleasing. Accordingly, to the training in music should be added some kind of special class for perfecting diction over which should preside a professor who is really an expert in this art.

Art. III: *Training Regarding Sacred Art*

60. The norms which concern the esteem and conservation of the treasury of sacred music handed down to us, are applicable also, with due allowances, to the other sacred arts. As a consequence, the moderators whose concern it is, must always keep in mind article 129 of the Conciliar constitution: "During their philosophical and theological studies, clerics should be taught the history and development of sacred art and the sound principles which should govern its productions so that they may appreciate and preserve the venerable monuments of the Church and be able to give proper advice to artists in the production of their works."

61. If there is not already in the curriculum of studies provision for sacred or Christian art, training of this kind shall be given the students at least through a series of lectures which can be advantageously presented even by laymen of the diocese

who are expert in the field, even though they do not belong to the faculty of professors. All exhibits of sacred art, both ancient and modern, should be attentively considered and evaluated in the seminary.

62. Furthermore, moderators will take care that the students acquire firsthand knowledge of the diocesan treasures of sacred art and of the best modern works. Such training is necessary so that later, as often happens, failures of the clergy will not have to be deplored because of some alienation or dispersal or loss of the sacred artistic heritage of the churches. This heritage is entrusted to the vigilance of the clergy (*CC.*, n. 126).

63. The principles which Vatican Council II (CC., nn. 122–128; cf. *IE.*, nn. 90-99) set down regarding sacred art and the plans of constructing and decorating churches should be carefully presented and explained. In addition, the students should be shown the prevailing norms of this branch of knowledge; contradictory and novel expressions which can be detected in details should not be pointed out; rather the contrary, namely, the spirit which breathes through all the monuments of the Church and which continues the same in all of them should be uncovered and considered with the greatest care.

CHAPTER IV

The Curriculum for Liturgical Training

64. As for the place reserved for teaching the liturgy, whether considered in itself or in the total program of the other branches of the theological course, this is already defined in the Conciliar constitution (n. 16) in these words: "The sacred liturgy in seminaries and religious houses of study is to be regarded as one of the necessary and important courses, and in theological faculties as among the principal ones; it is to be taught in its theological and historical aspect, and also from the spiritual, pastoral, and juridical standpoints. Moreover, the teachers of other subjects, especially of dogmatic theology, sacred scripture, and spiritual and pastoral theology, should take care to bring out, in connection with the intrinsic exigencies of each subject, the mystery of Christ and the history of salvation in such a way

that their relation to the liturgy and the unity of training be made perfectly clear."

65. In order, then, that due importance be given to this branch of knowledge in the training of candidates for the priesthood, the curriculum of liturgical studies should occupy an hour every week through the four years of the theology course. On the other hand, in order to fit into the special teaching needs of seminaries in different regions, this branch of knowledge can be given from the start of the philosophy course and completed in three or even in two years provided that the number of hours set down above is religiously preserved and the teaching is explained in all its divisions.

66. He should be chosen as professor who is learned in theology especially as well as in history and who has a clear understanding of pastoral matters and is imbued with a sense of the Church's public prayer. Accordingly, local Ordinaries should see to it that, as soon as possible, the seminary should have a professor who is well prepared for this discipline (cf. *IE.*, n. 11). Consequently he should be duly trained for his position in higher institutions of learning especially equipped for this study.

67. Since the sacred liturgy is to be taught in its theological and historical as well as in its spiritual, pastoral, and juridical aspect (CC., n. 16), in order to present it more clearly and have it reduced to practice more quickly, an appendix is added to this instruction giving a line-up of the topics which, it seems, should be proposed to the students in the classes. To be added, of course, are some explanations of the method employed in explaining the individual topics. Notwithstanding all this, the authority which is competent according to law may arrange the layout of the matter in different ways as well as distribute it through the years, provided the prescribed amount, which is minimal and sufficient, is in no way diminished.

68. All professors in the theology curriculum, however, should keep in mind the recommendation of the Council, namely, that the principal branches of knowledge should take care to bring out, in connection with the intrinsic exigencies of each subject, the mystery of Christ and the history of salvation in such a way that their relation to the liturgy and the unity of training be made perfectly clear (CC., *ibid.)*. Above all, then, the theology of

the sacraments should have a proportionate line-up of definitely examined arguments from the history of the liturgy and should be amply elucidated with liturgical texts.

Since, however, the public prayer of the Church depends on Sacred Scripture as on a pivot, the task of this discipline will also be a direct study so that the students may acquire a deeper and firmer understanding of the noteworthy texts of the liturgy and, at the same time, have their love and devotion stimulated (cf. *CC.*, nn. 24 and 90).

69. In order that the necessary helps may not be lacking, especially for professors, for carrying out the proper training as well as for the writing of critical works, the seminary moderators should see to it that the library, even in what pertains to the liturgy, should be well supplied and built up with necessary and useful works such as editions of liturgical collections, writings of the holy Fathers, compilations of decrees on matters liturgical, noteworthy commentaries on the liturgy, and, in fine, books which treat of the liturgy from the biblical, theological, historical, juridical, ascetical viewpoints. It will be the duty of the liturgy professor, moreover, to lead the students on to researching the sources themselves as well as to recommend to them the more recent better books.

* * *

This instruction, aimed at the proper training of seminarians in the liturgy, was drawn up and prepared by the Sacred Congregation for Seminaries and Universities after having heard the Commission for the Implementation of the Conciliar Constitution on the Sacred Liturgy and with the approval of the Sacred Congregation of Rites. The Supreme Pontiff, Paul VI, moreover, has ratified it and ordered it published, all things to the contrary notwithstanding.

Given at Rome, from the offices of the Sacred Congregations, on the Nativity of our Lord, 1965.

(Private) ; S. C. Sem. et Univ., 25 Dec., 1965, both the letter and the instruction have been translated from copies of the originals kindly supplied us by the Rev. William P. LcSaint, S.J., President of the Theological Faculty, Mundelein, Illinois.

Note: The appendix, containing an outline of a curriculum for liturgical training, was judged not to be of sufficient general interest

to be translated. It occupies almost fourteen pages of the booklet containing the instruction.

Oriental Ecclesiastical Studies. Doctorate is equivalent to doctorate in Sacred Theology. S. C. Sem. et Univ., 27 Jan., 1965 (AAS 57-347).
Scholastic Philosophy in Priestly Formation. See c. 222; S. C. Sem. et Univ., 20 Dec., 1965.

CANON 1366

Critical Edition of All the Works of Saint Thomas (Paul VI, Letter, 7 March, 1964) AAS 56-302.

This congratulatory letter was addressed by Paul VI in English to the Very Reverend Anicetus Fernandez, General of the Dominican Order. After summarizing the first two introductory paragraphs, we transcribe the full text of the remainder of the letter.

The Holy Father recalls that Leo XIII established a special Commission to prepare a critical edition of all the works of Saint Thomas Aquinas, and entrusted the work to the Dominicans. This Leonine Commission, under the direction and with the generous contributions of the supreme authorities of the Order, issued sixteen volumes. The work that remains to be done is the subject of the rest of the letter, which we transcribe in full from the original English text.

Notwithstanding the great efforts made by the Commission to second the desires of this Apostolic See, and the institution of two sections of the Commission at Paris and at Ottawa in Canada, there still remains a vast field of work, too immense for the personnel and means at the disposal of this timely institute. Divine Providence, however, seems to give a solution in the manner of which you, beloved son, have informed Us, namely through the erection, by the three Superiors of the Order's Provinces in the United States of America and in response to your appeal, of a new institution to be called "The Saint Thomas Aquinas Foundation of the Dominican Fathers of the United States." Its immediate aim will be to ensure, -within the shortest time possible, the completion of the critical edition of the works

of Saint Thomas, employing for this end the fruits of its capital. It may consequently be hoped that rapid progress will be made in the work entrusted to the two sections of the Commission located in Rome and in Paris, and in the work to be assigned to the new section which will be set up in Washington, D. C. There are, however, still other aims of great importance proposed, such as the reprinting of those volumes which are out of print, the spreading of Thomist Doctrine by means of an English translation of the critical edition and the publication of writings concerning it, as well as the erection of an institute with the duty of comparing the thought of Saint Thomas with the modern systems of philosophy and the discoveries of the natural and anthropological sciences, in order to deduce useful conclusions for the best solution of the spiritual and cultural problems of our day.

To the promoters of this magnificent programme We express Our cordial praise, since "in honoring Saint Thomas," as Our Predecessor Pope Pius XI said, "there is at stake something more than esteem for Saint Thomas himself, namely, the authority of the teaching Church."[1] Indeed, in the works of Saint Thomas can be found a compendium of the universal and fundamental truths, expressed in the clearest and most persuasive form. For this reason his teaching constitutes a treasure of inestimable value, not only for the Religious Order of which he was the greatest luminary, but for the entire Church and for all minds thirsting for truth. Not without reason has he been hailed as "the man of every hour." His philosophical knowledge, which reflects the essences of really existing things in their certain and unchanging truth, is neither medieval nor proper to any particular nation; it transcends time and space, and is no less valid for all humanity in our day.

As regards his theological teaching, set forth in his commentaries on the Old and New Testaments, on the Pseudo-Dionysius, Boethius, Peter Lombard, the numerous *"Quaestiones Disputatae,"* *"Quodlibeta"* and *"Opuscula,"* but above all in the two "Summae," the better it is understood in its admirable synthesis, the greater the admiration it arouses for that clear distinction and harmony between human reason and divine Faith, which the

[1] Quoted from the Encyclical of Pius XI on the theology and philosophy of Saint Thomas, 29 June, 1923; AAS 15-309.

First Vatican Council exalted and defended against the ever-renewed errors of atheistic materialism, of pantheism, rationalism and fideism.[2] Hence the triumph of the doctrine of Saint Thomas in the Church Militant causes supreme glorification of the very Wisdom of God, in the words of the Liturgy: *De excelsis Fons sapientiae Sancto Thomae infudit copiam, tamquam flumen clarae scientiae; qui susceptam refudit gratiam, dum fluentis summae peritiae rigat totam sanctam Ecclesiam.*[3] With pleasure, then, do We recall, in the words of Our Predecessor Pope Pius XII of happy memory, that "a proper rivalry in discovering and spreading the truth, is not suppressed but rather stimulated and directed by regard for the doctrine of Saint Thomas."[4]

We are therefore convinced that great benefits will accrue to the cause of truth from a wider and more exact knowledge of the teaching of the "Common Doctor," which the Church has made her own.[5] While, then, We express heartfelt good wishes for the success of "The Saint Thomas Aquinas Foundation of the Dominican Fathers of the United States." We earnestly exhort Our Venerable Brothers of the Hierachy of North America, the various Religious Orders and Congregations, Catholic and non-Catholic cultural institutions, and all generous and willing persons, to respond with munificence to the appeal made to them for funds necessary for the Foundation's work. We confidently hope that the American people, already meritorious in religious and civil progress, will not delay to add this new sparkling gem to the crown of their noble undertakings.

Trusting that with God's help the decade which lies between us and the coming seventh centenary of the death of the Angelic Doctor will see the completion of the critical edition of his writings as a grateful homage to his memory, We impart from Our heart to "The Saint Thomas Aquinas Foundation of the Dominican Fathers of the United States," and to all those of whatever nation who generously assist it, Our Apostolic Blessing.

From the Vatican, March 7, 1964, Feast of Saint Thomas Aquinas.

AAS 56-302; Paul VI, Congratulatory Letter, 7 March, 1964.

2 Cf. *Constitutio dogmatica, De fide catholica,* cap. 4.

3 Response of the II nocturne on the feast of Saint Thomas.

4 Speech of Pius XII to all clerical students in Rome, 24 June, 1939. Translation taken from the Canon Law Digest, 2. p. 429,

6 Cf. Encyclical of Pius XI, 29 June, 1923; AAS 15-309.

Historical Truth of the Gospels (Pont. Bibl. Com., Instruction, 21 Apr., 1964) AAS 56—712.

Our Holy Mother the Church, which is "the pillar and ground of the truth,"[1] has invariably made use of Sacred Scripture in her work of ministering eternal salvation to souls, safeguarding it always from every sort of false interpretation. Problems there will always be, and the Catholic exegete, engaged in expounding the word of God and answering the difficulties brought forward against it, should not lose heart. He must keep on vigorously at his work of bringing out ever more clearly the genuine sense of the Scriptures, not relying merely on his own capabilities, but putting his trust chiefly and unshakably in the help of God and the light shed by the Church.

It is highly gratifying that the Church today can number so many faithful sons, possessed of that proficiency in matters biblical which is required at the present time, who have responded to the call of the Supreme Pontiffs and are devoting themselves wholeheartedly and with unflagging energy to their weighty and exacting task. "And all other children of the Church should bear in mind that the efforts of these valiant laborers in the vineyard of the Lord are to be judged not only with fairness and justice, but also with the greatest charity,"[2] for even interpreters of the highest reputation, such as Jerome himself, in their endeavors to clear up certain more difficult points, have on occasion arrived at results which were far from happy.[3] All should be on their guard "lest in the heat of debate the limits laid down by mutual charity be transgressed; and lest, in debate, the impression be given that it is the revealed truths and the divine traditions themselves that are being controverted. For unless the various studies of many different scholars are pursued by them together in a spirit of harmony and with the principles themselves placed beyond dispute, we cannot well expect them to accomplish any great progress in this branch of learning."[4]

1 1 Tim. 3, 15.

2 Pius XII, Encyclical, *Divino afflante Spiritu,* 30 Sept., 1943; AAS 35-297. The quotation is from *Enchiridion Biblicum,* n. 564.

3 Cf. Benedict XV, Encyclical, *Spiritus Paraclitus,* 15 Sept., 1920; AAS 12-385. The passage referred to is taken from *EB,* n. 451.

4 Leo XIII, Ap. Letter, *Vigilantiae,* 30 Oct., 1902; ASS 35-234. The quotation is taken from *EB,* n. 143.

Today the labors of exegetes are all the more called for by reason of the fact that in many publications, circulated far and wide, the truth of the events and sayings recorded in the Gospels is being challenged. In view of this the Pontifical Biblical Commission, in the discharge of the duty entrusted to it by the Supreme Pontiffs, has thought it opportune to set forth and to insist on the following points:

1. The Catholic exegete, under the guidance of the Church, must turn to account all the resources for the understanding of the sacred text which have been put at his disposal by previous interpreters, especially the holy Fathers and Doctors of the Church, whose labors it is for him to take up and to carry on. In order to bring out with fullest clarity the enduring truth and authority of the Gospels he must, while carefully observing the rules of rational and of Catholic hermeneutics, make skillful use of the new aids to exegesis, especially those which the historical method, taken in its widest sense, has provided; that method, namely, which minutely investigates sources, determining their nature and bearing, and availing itself of the findings of textual criticism, literary criticism, and linguistic studies. The interpreter must be alert to the reminder given him by Pope Pius XII of happy memory when he charged him "to make judicious inquiry as to how far the form of expression or the type of literature adopted by the sacred writer may help towards the true and genuine interpretation, and to remain convinced that this part of his task cannot be neglected without great detriment to Catholic exegesis."[5] In this reminder Pius XII of happy memory is laying down a general rule of heremeneutics, one by whose help the books both of the Old Testament and of the New are to be explained, since the sacred writers when composing them followed the way of thinking and of writing current among their contemporaries. In a word, the exegete must make use of every means which will help him to reach a deeper understanding of the character of the gospel testimony, of the religious life of the first churches, and of the significance and force of the apostolic tradition.

In appropriate cases the interpreter is free to seek out what sound elements there are in "the Method of Form-history," and these he can duly make use of to gain a fuller understanding

[5] *Divino afflante Spiritu; EB*, n. 560.

of the Gospels. He must be circumspect in doing so, however, because the method in question is often found alloyed with principles of a philosophical or theological nature which are quite inadmissible, and which not infrequently vitiate both the method itself and the conclusions arrived at regarding literary questions. For certain exponents of this method, led astray by rationalistic prejudices, refuse to admit that there exists a supernatural order, or that a personal God intervenes in the world by revelation properly so called, or that miracles and prophecies are possible and have actually occurred. There are others who have as their starting-point a wrong notion of faith, taking it that faith is indifferent to historical truth, and is indeed incompatible with it. Others practically deny *a priori* the historical value and character of the documents of revelation. Others finally there are who on the one hand underestimate the authority which the Apostles had as witnesses of Christ, and the office and influence which they wielded in the primitive community, while on the other hand they overestimate the creative capacity of the community itself. All these aberrations are not only opposed to Catholic doctrine, but are also devoid of any scientific foundation, and are foreign to the general principles of the historical method.

2. In order to determine correctly the trustworthiness of what is transmitted in the Gospels, the interpreter must take careful note of the three stages of tradition by which the teaching and the life of Jesus have come down to us.

Christ our Lord attached to Himself certain chosen disciples[6] who had followed Him from the beginning,[7] who had seen His works and had heard His words, and thus were qualified to become witnesses of His life and teaching.[8] Our Lord, when expounding His teaching by word of mouth, observed the methods of reasoning and of exposition which were in common use at the time; in this way He accommodated Himself to the mentality of His hearers, and ensured that His teachings would be deeply impressed on their minds and would be easily retained in memory by His disciples. These latter grasped correctly the idea that the miracles and other events of the life of Jesus were

[6]Cf. Mk. 3:14; Lk. 6:13.
[7]Cf. Lk. 1:2; Acts 1:21-22.
[8]Cf. Lk. 24:48; Jn. 15:27; Acts 1:8; 10:39; 13:31.

things purposely performed or arranged by Him in such a way that men would thereby be led to believe in Christ and to accept by faith the doctrine of salvation.

The Apostles, bearing testimony to Jesus,[9] proclaimed first and foremost the death and resurrection of the Lord, faithfully recounting His life and words[10][11] and, as regards the manner of their preaching, taking into account the circumstances of their hearers." After Jesus had risen from the dead, and when His divinity was clearly perceived,[12] the faith of the disciples, far from blotting out the remembrance of the events that had happened, rather consolidated it, since their faith was based on what Jesus had done and taught.[13][14] Nor was Jesus transformed into a "mythical" personage, and His teaching distorted, by reason of the worship which the disciples now paid Him, revering Him as Lord and Son of God. Yet it need not be denied that the Apostles, when handing on to their hearers the things which in actual fact the Lord had said and done, did so in the light of that fuller understanding which they enjoyed as a result of being schooled by the glorious things accomplished by Christ," and of being illumined by the Spirit of Truth.[15][16] Thus it came about that, just as Jesus Himself after His resurrection had "interpreted to them"[10] both the words of the Old Testament and the words which He Himself had spoken," so now they in their turn interpreted His words and deeds according to the needs of their hearers. "Devoting (themselves) to the ministry of the word,"[18] they made use, as they preached, of such various forms of speech as were adapted to their own purposes and to the mentality of their hearers; for it was "to Greek and barbarian, to learned and simple,"[19] that they had a duty to discharge.[20] These varied ways of speaking which the

°Cf. Lk. 24:44-48; Acts 2:32; 3:15; 5:30-32.
10 Cf. Acts 10:36-41.
11 Cf. Acts 13:16-41 with Acts 17:22-31.
12 Acts 2:36; Jn. 2O:2S.
13 Acts 2:22; 10:37-39.
14 Jn. 2:22; 12:16; 11:51-52; cf. 14:26; 16:12-13; 7:39.
15 Cf. Jn. 14:26; 16:13.
16 Lk. 24:27.
17 Cf. Lk. 24:44-45; Acts 1:3.
18 Acts 6:4.
10 Rom. 1:14.
20 I Cor. 9:19-23.

heralds of Christ made use of in proclaiming Him must be distinguished one from the other and carefully appraised: catecheses, narratives, testimonies, hymns, doxologies, prayers, and any other such literary forms as were customarily employed in Sacred Scripture and by people of that time.

The sacred authors, for the benefit of the churches, took this earliest bods' of instruction, which had been handed on orally at first and then in writing — for many soon set their hands to "drawing up a narrative"[21] of matters concerning the Lord Jesus — and set it down in the four Gospels. In doing this each of them followed a method suitable to the special purpose which he had in view. They selected certain things out of the many which had been handed on; some they synthesized, some they explained with an eye to the situation of the churches, painstakingly using every means of bringing home to their readers the solid truth of the things in which they had been instructed.[22] For, out of the material which they had received, the sacred authors selected especially those items which were adapted to the varied circumstances of the faithful as well as to the end which they themselves wished to attain; these they recounted in a manner consonant with those circumstances and with that end. And since the meaning of a statement depends, amongst other things, on the place which it has in a given sequence, the Evangelists, in handing on the words or the deeds of our Savior, explained them for the advantage of their readers by respectively setting them, one Evangelist in one context, another in another. For this reason the exegete must ask himself what the Evangelist intended by recounting a saying or a fact in a certain way, or by placing it in a certain context. For the truth of the narrative is not affected in the slightest by the fact that the Evangelists report the sayings or the doings of our Lord in a different order,[23] and that they use different words to express what He said, not keeping to the very letter, but nevertheless preserving the sense.[24] For, as St. Augustine says: "Where it is

21 Cf. Lk. 1:1.

22 Cf. Lk. 1:4.

23 Cf. St. John Chrys., *In Mat. Hom.* I, 3; *PG* 57:16-17.

24 Cf. St. August., *De consensu Evang.* 2, 12, 28; *PL* 34; 1090-1091.

a question only of those matters whose order in the narrative may be indifferently this or that without in any way taking from the truth and authority of the Gospel, it is probable enough that each Evangelist believed he should narrate them in that same order in which God was pleased to suggest them to his recollection. The Holy Spirit distributes His gifts to each one according as He wills;[25] therefore, too, for the sake of those Books which were to be set so high at the very summit of authority, He undoubtedly guided and controlled the minds of the holy writers in their recollection of what they were going to write; but as to why, in doing so, He should have permitted them, one to follow this order in his narrative, another to follow that — that is a question whose answer may possibly be found with God's help, if one seeks it out with reverent care."[26]

Unless the exegete, then, pays attention to all those factors which have a bearing on the origin and the composition of the Gospels, and makes due use of the acceptable findings of modern research, he will fail in his duty of ascertaining what the intentions of the sacred writers were, and what it is that they have actually said. The results of recent study have made it clear that the teachings and the life of Jesus were not simply recounted for the mere purpose of being kept in remembrance, but were "preached" in such a way as to furnish the Church with the foundation on which to build up faith and morals. It follows that the interpreter who subjects the testimony of the Evangelists to persevering scrutiny will be in a position to shed further light on the enduring theological value of the Gospels, and to throw into clearest relief the vital importance of the Church's interpretation.

There remain many questions, and these of the gravest moment, in the discussion and elucidation of which the Catholic exegete can and should freely exercise his intelligence and skill. In this way each can contribute individually to the advantage of all, to the constant advancement of sacred learning, to preparing the ground and providing further support for the decisions of the Church's teaching authority, and to the defence and honor of the Church herself.[27] But at all times the interpreter

25 I Cor. 12:11.

26 *De consensu Evang.*, 2, 21, 51s.; *PL* 34:1102.

27 Cf. *Divino afflante Spiritu*; *EB* 565.

must cherish a spirit of ready obedience to the Church's teaching authority, and must also bear in mind that when the Apostles proclaimed the Good Tidings they were filled with the Holy Spirit, and that it was He Who preserved their authors immune from all error. "For we received our knowledge of the economy of our salvation by means of no others than those same by whose means the Gospel came to us: that Gospel which they first proclaimed as heralds and afterwards, by the will of God, passed on to us in the Scriptures to be the ground and pillar of our faith. Thus no one has any right to say that they preached before they had the perfect Knowledge, as some venture to assert, boasting that they are correctors of the Apostles. For after our Lord had risen from the dead and they were invested with power from on high by the descent of the Holy Spirit upon them, they were filled with all the gifts, and had the perfect Knowledge; they went forth to the ends of the earth spreading the good tidings of the blessings we have from God and announcing heavenly peace to man, all of them and each of them equally posessing the Gospel of God."[28]

3. *Those charged with the duty oj teaching in Seminaries and similar establishments* "must make it their first care to see . . . that the teaching of Holy Writ is carried out in a manner thoroughly in keeping with the importance of the subject itself, and with the requirements of the present day."[29] Professors should make theological doctrine the main subject-matter of their exposition, so that the Sacred Scriptures "may become for the future priests of the Church a pure and never-failing source of spiritual life for themselves, and of nourishment and vigor for the office of sacred preaching which they are to undertake."[30] Professors, when they make use of critical methods, especially of what is called literary criticism, should not do so for the mere sake of criticism, but with a view to gaining by means of it a deeper insight into the sense intended by God speaking through the sacred writer. They should not stop halfway, therefore, resting on the discoveries they have made from the literary point of view, but should go on to show how such findings make a

28St. Iren., *Adv. Hacr.,* III, 1, 1; Harvey, II, 2: *PG* 7:844.

29 Pius X, Ap. Letter, *Quoniam in re biblica,* 27 March, 1906, ASS 39-77. The passage quoted is in *EB,* n. 162.

30 *Divino afflante Spiritu; EB,* η. 567.

real contribution toward the better understanding of revealed doctrine or, if occasion arises, towards the refutation of misleading views. By following these guiding principles teachers will ensure that their pupils find in Sacred Scripture themes of a nature "to raise their minds to God, nourish their souls, and foster their interior life."[31]

4. But it is *those who instruct the Christian people by sacred preaching* who need the greatest prudence. It is doctrine above all that they must impart, mindful of the admonition of St. Paul: "Pay attention to yourself and to the doctrine which you teach; be persistent in these things. For by doing so you will bring salvation to yourself and to your hearers."[32] They must altogether shun what is merely newfangled or what is insufficiently proved. New views for which there is solid support they may when necessary put forward, using discretion and taking into account the qualifications of their audience. When they narrate biblical events they are not to introduce imaginary additions at variance with the truth.

This same virtue of prudence should be especially practiced by *those who write for the Christian public at popular level.* They should make it their study to bring out the treasures of the word of God "in order that the faithful may be moved and spurred on to shape their lives in conformity with it."[33] Let them regard themselves as in duty bound never to depart in the slightest from the common doctrine and tradition of the Church. And while undoubtedly they should lay under contribution whatever real advances in biblical knowledge the labors of modern scholars have brought about, they should keep altogether clear of the precarious fancies of innovators.[34] They are strictly charged not to yield to a mischievous itch for novelty by recklessly giving wide publicity, indiscriminately and without any previous sifting, to each and every tentative solution of difficulties that happens to be proposed; this way of acting disquiets the faith of many people.

Already on a previous occasion this Pontifical Biblical Com-

31 *Divino afflante Spiritu; EB,* η. 552.

32 I Tim. 4:16.

33 *Divino afflante Spiritu; EB,* n. 566.

34 Cf. Pius X, Ap. Letter, *Quoniam in re biblica,* 27 March, 1906, ASS 39-77: *EB,* n. 172.

mission thought it opportune to recall to mind that books, and also magazine and newspaper articles, dealing with biblical matters, are subject to the authority and jurisdiction of Ordinaries, since they are concerned with religious topics and with the religious instruction of the faithful.[35] Ordinaries are requested, therefore, to be particularly vigilant where such popular publications are concerned.

5. *Those, in charge oj biblical associations* must observe inviolably the laws already laid down by the Pontifical Biblical Commission.[36]

♦ * ♦

If all these instructions are kept, the study of the Sacred Scriptures will redound to the advantage of the faithful. All without exception will experience even today the truth of what St. Paul wrote: that the Sacred Scriptures "can make wise unto salvation, which is had by faith in Christ Jesus. All scripture inspired by God is profitable for teaching, for reproving, for correcting, for training in right conduct: so that the man of God may be complete, equipped for every good."[37]

Our Most Holy Lord, Pope Paul VI, in an audience graciously granted to the undersigned Right Reverend Consultor-Secretary on April 21, 1964, approved this Instruction and ordered its publication.

Rome, April 21, 1964.

Benjamin N. Wambacq, O.Praem.
Consultor-Secretary

AAS 56–712; Bibl. Com., Instruction, 21 Apr., 1964.

Note: This is the authorized English translation which appeared in the *Catholic Biblical Quarterly,* 26 (1964)-305-312. On page 360 of the same issue the following notice appeared: "Because of the faulty English translation which has circulated in the United States, we are happy to publish an authorized English translation which was sent to the CBA by Father Wambacq, O.Praem."

Cardinal Bea has an extended commentary which was published in two parts in *La Civiltà Cattolica,* 6 June, 1964 (on the History' of Forms), and 20 June, 1964 (on the inspiration and inerrancy of the Gospels). *La Documentation Catholique* gives a French version

[35] Bibl. Com., Instruction, 15 Dec., 1955, AAS 43-61; reported in full in Canon Law Digest, 4, 370-374.

™*EB*, 622-633.

" 2 Tim. 3:15-17.

of the two parts respectively in volume 61 (1964), col. 771-788 and col. 826-842. Other annotations: *Irish Theological Quarterly,* 3 (1964)–240–246 (O'Flynn); *La Scuola Cattolica, 92* (1964)-303-310 (Galbiati); *Revue Diocésaine de Tournai,* 19 (1964)-523-542 (Ponthot); *Sal Terrae,* 52 (1964)-673-683 (Lorada).

Sacred Scripture: Work of the scripture scholar. Allocution of Paul VI to the participants in ISth Italian Biblical Week, 25 Sept., 1964 (AAS 56-936). English version in *The Pope Speaks,* 10 (1964-65)-19-22.

Saint Thomas: Allocution of Paul VI regarding the cataloguing and analysis of the works of St. Thomas by computers, 19 June, 1964 (not in AAS). English version in *The Pope Speaks,* 10 (1964-65)-60-63.

Vatican H's Decree *Optatam Totius:* no. 15 interpreted. See c. 222; S. C. Sem. et Univ., 20 Dec., 1965.

CANON 1372

Catholic Schools: Statement of U. S. Bishops, 16 Nov., 1967; reported in *Catholic Mind,* 66 (Jan., 1968)-l-6.

Religion: Teaching of, to young people. Paul VI, Allocution to Italian Catechetical Directors. 8 July, 1967 (AAS 59-708). English version in *The Pope Speaks,* 12 (1967)-3 70-3 75.

CANON 1374

Schools Admitting Non-Catholic Students: Contrary to the prohibition of attendance at "mixed" schools contained in canon 1374, the Second Vatican Council, in the Declaration on Christian Education, n. 9, contains this definite statement: "Schools which admit also non-Catholic students arc highly valued by the Church, especially in territories of young Churches." (AAS 58-728.)

CANON 1375

Sacred Congregation for Catholic Education: Establishment and competency. Sec c. 242; Paul VI, Ap. Const., 15 Aug., 1967, nn. 75-80.

School Board: Parish: constitution for, for St. Francis Parish, Traverse City, Mich, undated; reported in *Catholic Mind,* 64 (Sept., 1966)-60-64.

CANON 1376

Angelicum Athenaeum: Raised to status of university with title, Pontifical University of Saint Thomas in Rome, John XXIII, *Motu proprio,* 7 March, 1963 (AAS 55-205).

Bologna, *Studium Theologicum:* Aggregated to the Theological Faculty of the Pontifical Athenaeum Angelicum in Rome. S. C. Sem., decree, 15 Nov., 1962 (AAS 55-357).

Ferrara, University of: Epistle of John XXIII to the President Giovanni Dell'Acqua on the occasion of the inauguration of new buildings, 20 Feb., 1963 (AAS 55-327).

CANON 1382

Schools of Religious: How subject to local Ordinaries. See c. 222, Decree on Pastoral Office of Bishops, n. 35, 4.

Visitation by local Ordinary. See c. 222, *Motu proprio,* 6 Aug., 1966; AAS 58-757, I, 39.

CANON 1384

Decree on Media of Social Communication (Cone. Vat. II, 4 Dec., 1963) AAS 56-145.

Paul, Bishop, Servant of the Servants of God, together with the Fathers of the Sacred Council, for a perpetual Memorial

DECREE ON MEDIA OF SOCIAL COMMUNICATION

Introduction

1. Among the wonderful technological discoveries which men of talent, especially in the present era, have made with God's help, the Church welcomes and promotes with special interest those which have a most direct relation to men's minds and which have found new avenues for communicating most readily news, opinions, and teachings of every sort. The most important of these inventions are those media which, such as the press, movies, radio, television, and the like, can of their very nature reach and influence not only individuals but the very masses and the whole of human society, and thus can rightly be called the media of social communication.

2. The Church recognizes that these media, if properly used, can be of great service to mankind, since they greatly contribute to men's entertainment and instruction as well as to the spread and support of the Kingdom of God. The Church recognizes also that men can employ these media in a way that is contrary to the plan of the Creator and which works to their own detriment. Indeed the Church experiences maternal grief at the harm which is too often done to society by their evil use.

Hence this Sacred Synod, mindful of the watchful concern manifested by the Supreme Pontiffs and the Bishops in a matter of such grave importance, judges it to be its duty to treat of the principal questions connected with the media of social communication. It trusts, moreover, that the teaching and regulations which it thus sets forth will serve to promote not only the welfare of Christians but also the progress of all mankind.

CHAPTER I

3. The Catholic Church, since she was founded by Christ our Lord to bring salvation to all men and thus is obliged to preach the Gospel, considers it one of her duties to announce the Good News of salvation also with the help of the media of social communication and to instruct men in their proper use.

It is therefore an inherent right of the Church to have at her disposal and to employ any of these media in so far as they are necessary or useful for the instruction of Christians and for all her efforts for the good of souls. Pastors have a duty to instruct and guide the faithful so that with the help of these media they may further their own salvation and that of the entire human family.

Moreover, the laity especially must strive to instill a human and Christian spirit into these media, so that they may fully measure up to the great expectations of mankind and to the designs of God.

4. For the proper employment of these media it is most necessary that all who employ them be acquainted with the norms of morality and that they conscientiously put them into practice in this area. They must therefore look to the nature of what is communicated, given the special character of each of these media.

At the same time they must take into consideration the entire situation and all the circumstances, namely, the persons, place, time, and other conditions under which communication takes place and which can affect or totally change its propriety. Among these circumstances to be considered is the precise manner in which a given medium achieves its effect. For its influence can be so great that men, especially if they are unprepared, can scarcely become aware of it, govern its impact, or if necessary reject it.

5. But it is especially necessary that all parties concerned should adopt for themselves a proper moral outlook on the use of these media, especially with regard to certain questions which have been vigorously discussed in our day.

The first question has to do with information, or the search for and reporting of the news. Certainly this has become most useful and very often necessary for the progress of contemporary society and for achieving closer links among men. The prompt publication of affairs and events provides every individual with a fuller and continuous acquaintance with them; and thus all can contribute more effectively to the common good and more readily promote and advance the well-being of all civil society. Innate in human society is the right to be informed regarding things which are of interest to men either as individuals or as members of society, according to the circumstances of each case. The proper exercise of this right, however, demands that the news which is communicated be true and, within the bounds of justice and charity, complete. Moreover, the manner in which the news is communicated must be proper and decent. This means that both in the search for news and in reporting it, there must be full respect for the laws of morality and for the legitimate rights and dignity of the individual. For not all knowledge is helpful, but "it is charity that edifies" (1 Corinthians 8:1).

6. The second question concerns the relationship between the so-called rights of art and the norms of morality. Since the mounting controversies in this field often grow out of false teachings about ethics and aesthetics, the Council proclaims that all must hold to the absolute primacy of the objective moral order, since this order alone surpasses and fittingly coordinates all other spheres of human affairs, even though they be of out-

standing dignity — the arts not excepted. For man, who is endowed by God with the gift of reason and called to a supernatural destiny, is affected in his whole nature by the moral order alone; and if he faithfully observes it in its entirety, he will be brought to the attainment of complete perfection and happiness.

7. Finally, the narration, description, or portrayal of moral evil, even through the media of social communication, can serve to bring about a deeper knowledge and study of humanity and, with the aid of appropriately heightened dramatic effects, can reveal and glorify the magnificence of truth and goodness. Nevertheless, such presentations must always be subject to the laws of morality lest they work to the harm rather than to the benefit of souls, particularly when there is question of subjects which demand that they be treated with reverence, or which, given the baneful effect of original sin in men, might easily arouse base desires.

8. Since public opinion exerts the greatest power and authority today in every sphere of life both public and private, every member of society must fulfill the requirements of justice and charity also in this province. Consequently all should strive through these media of social communication to form and spread sound public opinion.

9. All who of their own free choice make use of these media of communication as readers, viewers, or listeners have special obligations. For a proper choice demands that they fully favor those presentations that are outstanding for their moral goodness, their knowledge, and their artistic or technical merit; but on the other hand that they avoid those which may be a cause or occasion of spiritual harm to themselves, or which may lead others into danger through bad example, or which hinder desirable presentations and promote those that are evil; to patronize such presentations would as a rule merely reward exhibitors who use these media only for profit.

In order that those who make use of these media may fulfill the moral law, they ought not neglect to inform themselves in time about judgments passed by authorities that are competent in these matters, and they ought to follow such judgments according to the norms of an upright conscience. In order the more easily to resist improper inducements and to encourage

those that are desirable, they should take care to instruct their conscience with suitable aids.

10. Those who make use of these media, especially the young, should take steps to accustom themselves to moderation and self-control in their regard; they should moreover try to deepen their understanding of what they see, hear, or read; they should discuss these matters with educators and experts, and learn to pass sound judgments on them. Parents must remember that it is their duty to watch carefully that shows, publications, and other things of this sort, which may be offensive to faith or morals be not allowed to enter their homes nor to reach their children through other channels.

11. The principal moral responsibility for the proper use of the media of social communication rests on newsmen, writers, actors, designers, producers, displayers, distributors, operators and sellers, critics, and others who have any part in the production and transmission of mass presentations. It is perfectly evident how very important are the functions which all of these exercise in the present day when they are in a position, by informing and arousing the people, to lead the human race for good or for evil.

Hence they must so adjust their economic, political, or artistic and technical arrangements, that they will never be contrary to the common good. In order the more readily to achieve this purpose, they are to be commended when they join professional associations which oblige their members — even if necessary under an agreed code of ethics — to respect the moral law in the business and activities of their craft.

They must always remember that a large part of their readers and spectators consists of young people, who need a press and entertainment that offer them decent amusement and draw their hearts to higher things. They must also see to it that presentations concerning religious matters be entrusted to persons who are worthy and capable, and that they be performed with due reverence.

12. In this matter the civil authority has special responsibilities in view of the common good which these media are designed to serve. For this same authority in virtue of its office has the duty to protect and safeguard true and just freedom of information, which the society of today absolutely needs for its due

progress, especially with regard to the press. It ought also to encourage religion, culture, and the better aspects of professional and social life, and to guarantee the rights of those who use the media. Moreover, the civil authority has the duty of helping those projects which, though they are most beneficial especially for young people, cannot otherwise be undertaken.

Finally, the same public authority, which legitimately concerns itself with the health of the citizenry, is obliged, through the promulgation and careful enforcement of laws, to exercise a just vigilance lest, through an evil use of these media, serious harm be done to public morals and the progress of human society. Such vigilance is not by any means a restriction of the liberty of individuals or groups, especially where those who are professionally engaged in using these media have failed to take adequate precautions themselves.

Special care should be taken to safeguard young people from publications and performances which may be harmful to them at their age.

CHAPTER II

13. All the children of the Church should by common consent unite in a prompt and most earnest effort to make effective use of the media of social communication in various apostolic works, as circumstances and conditions demand; they should prevent harmful developments, especially in regions where more urgent efforts are needed to advance religion and morality.

Pastors should therefore hasten to fulfill their duty in this respect, a duty which is intimately connected with their ordinary preaching responsibility. Also the laity who have some part in the use of these media should endeavor to bear witness to Christ, first of all by performing their respective functions with skill and in an apostolic spirit, and further, by being to the best of their ability, through their technical, economic, cultural, and artistic talents, directly helpful in the pastoral activity of the Church.

14. A good press should be fostered, first of all. In order thoroughly to imbue readers with a Christian spirit, there should be established and promoted a truly Catholic press, that is, one which — whether immediately promoted and directed by ecclesiastical authorities or by individual Catholics — should be edited

with the clear purpose of forming, supporting, and advancing public opinion in accord with the natural law and with Catholic doctrine and precepts, and should disseminate and correctly explain news which concerns the life of the Church. And the faithful should be reminded of the necessity of reading and spreading the Catholic press, so as to form Christian judgments on all current events.

The production and showing of films which have value for decent entertainment or for human culture and art, especially when they are designed for young people, should be encouraged and assured by every effective means. This can be done chiefly by supporting and bringing together the projects of decent producers and distributors, by encouraging worthwhile films through critical approval and awards, by patronizing or jointly sponsoring theaters operated by Catholics and by responsible managers.

Similarly, effective support should be given to good radio and television programs, especially those that are suitable for families. Catholic programs should be promoted, in which listeners and viewers may be brought to share in the life of the Church and learn religious truths. An earnest effort should also be made, where it may be necessary, to set up Catholic stations. In this case, however, care should be taken that their offerings be distinguished for technical perfection and effectiveness.

Also there should be an effort to see that the noble and ancient art of the drama, which is now diffused everywhere by the media of social communication, serves the cultural and moral betterment of audiences.

15. In order to provide for these needs, priests, religious, and laymen who are equipped with the proper qualifications for adapting these media to the purposes of the apostolate, should be appointed in due time.

In the first place, laymen should be given technical, doctrinal, and moral training. For this purpose the number of schools, faculties, and institutes should be increased, where newsmen, writers for the screen, radio, and television, and other interested parties, can receive a complete formation, instinct with the Christian spirit, especially with regard to the social teaching of the Church. Finally, care must be taken to prepare literary, film, radio, television, and other critics, who will be masters of their

own crafts and will be trained and encouraged to render judgments which always put moral issues in their proper light.

16. Since the right use of the media of social communication which are available to audiences of different ages and cultural backgrounds calls for instruction and practice suited to their needs, programs which are suitable for this purpose — especially if they are intended for young people — should be encouraged, increased in number, and organized according to Christian moral principles, in Catholic schools of every grade, in seminaries, and in groups of the lay apostolate. In order that this may be accomplished more promptly, catechetical manuals should present and explain the Catholic doctrine and discipline in this matter.

17. Since it is entirely unbecoming for the children of the Church idly to let the message of salvation be thwarted or impeded by the technical delays or expenses, however vast, which are characteristic of these media, this Sacred Synod warns them of the obligation they have to maintain and assist Catholic newspapers, periodicals, and film projects, radio and television stations and programs, which have as their principal purpose to spread and defend the truth and to foster Christian influence in human society. At the same time the Synod earnestly invites those organizations and individuals who have great financial and technical capabilities to support these media willingly and generously with their resources and their skills, inasmuch as they contribute to genuine culture and to the apostolate.

18. In order that the various forms of the apostolate of the Church with regard to the media of social communication may be more effectively strengthened, each year in every diocese of the world, acording to the determination of the Bishops, there should be celebrated a dav on which the faithful are to be instructed on their responsibilities in this regard, and invited to pray and to contribute funds for this cause. Such funds are to be expended exclusively on the promotion, maintenance and development of institutes and projects of the Church in this field, according to the needs of the whole Catholic world.

19. In fulfilling his supreme pastoral charge with regard to the media of social communication, the Supreme Pontiff has a special Office of the Holy See.[1]

[1] The Fathers of the Council, freely acceding to the wish of the "Secretariate for the Supervision of Publications and Entertainment," reverently

20. It will be the task of the Bishops, however, to watch over such works and projects in their own dioceses, to promote them and, as far as the public apostolate is concerned, to guide them, not excepting those that are under the direction of exempt religious.

21. Since an effective apostolate on a national scale calls for unity of planning and resources, this Sacred Synod decrees and orders that national offices for affairs of the press, films, radio, and television be established everywhere and given every aid. It will be the special task of these offices to see that the consciences of the faithful be properly instructed with regard to these media,, and to foster and guide whatever is done by Catholics in this field.

In each country the direction of such offices should be entrusted to a special committee of Bishops or to a single Bishop as their delegate; laymen also, who are well instructed in Catholic doctrine and experts in these crafts, should have a part in these offices.

22. Since the effectiveness of these media extends beyond national boundaries and makes of every individual as it were a citizen of the human family as a whole, national offices should cooperate among themselves on an international plane. The offices mentioned in n. 21 should work assiduously in conjunction with their own international Catholic associations. These Catholic international associations are legitimately approved by the Holy See alone, and depend on it.

ADDITIONAL CLAUSES

23. In order that all the principles and norms of this Sacred Synod regarding the media of social communication may be put into practice, by the express mandate of the Council a pastoral Instruction should be issued by the Office of the Holy See mentioned in n. 19, with the help of experts from various nations.

24. For the rest, this Sacred Synod is confident that its issuance of these instructions and norms will be gladly accepted and religiously observed by all the children of the Church, and that, by using these aids, far from experiencing any harm, they will, like salt and light, give savor to the earth and enlighten the

request the Sovereign Pontiff to extend the duties and competence of this Office to all media of social communication including the press, and that experts from various countries, including laymen, be appointed to it.

world. Moreover the Synod invites all men of good will, particularly those who have charge of these media, to strive to turn them solely to the good of society, whose fate depends more and more on their proper use. Thus, as was the case with ancient monuments of man's ingenuity, these new inventions also may glorify the Name of the Lord, according to those words of the Apostle: "Jesus Christ, yesterday and today, and the same forever" (Hebr. 13:8).

Paul VI, Supreme Pontiff, in the public session of 4 December 1963, approved this decree and ordered its promulgation in these words:

In the Name of the Most Holy and Undivided Trinity, the Father and the Son and the Holy Spirit. The decrees which have just been read in this Second Holy and Universal Vatican Synod legitimately assembled, have pleased the Fathers.

And We, by the Apostolic authority conferred on Us by Christ, together with the Venerable Fathers, do approve, decree, and establish them, and what has been thus synodally established, We order to be promulgated to the glory of God.

AAS 56-145; Cone. Vat. II, Decree, 4 Dec., 1963. Commentary, *Periodica,* 54 (1965)–149–156 (Zalba). Annotations, "The Legion of Decency," a Statement by the U. S. Episcopal Committee for Motion Pictures, Radio and Television, in *Catholic Mind,* 62 (June, 1964)-49-63.

Pontifical Commission for All Means of Social Communication Established (Paul VI, *Motu proprio,* 2 Apr., 1964) AAS 56-289.

Summary of Introductory Passages. His Holiness begins by recalling the importance of these means of social communication and praising the decree of the II Vatican Council on the subject?

He declares his intention of establishing a Pontifical Commission to take charge of all these means of social communication.

He recalls that John XXIII, by the *motu proprio* Apostolic Letter *Boni Pastoris,* of 22 February, 1959,[1] raised the Commission already established by Pius XII for the Cinema, Radio

[1] Cone. Vat. II, 4 Dec., 1963, AAS 56-145; reported above under this same canon; and the Allocution to the Conciliar Fathers, 4 Dec., 1963; AAS 56-35.

[2] AAS 51-183, reported in Canon Law Digest, 5, p. 696.

and Television,[3] to the status of a permanent Office of the Holy See affiliated to the Secretariate of State and having as its purpose "to examine various questions concerning motion pictures, radio, and television and to supply assistance and direction according to the precepts and regulations laid down in the Encyclical *Miranda prorsus*[4] and other norms which the Holy See may prescribe in the future."

Finally, he recalls that the Fathers of the II Vatican Council "reverently requested the Sovereign Pontiff to extend the duties and competence of this Office to all media of social communication including the press, and that experts from various countries, including laymen, be appointed to it."[5][6]

He then proceeds to the dispositive part of the Letter, which we report verbatim and in full.

Dispositive Part of the *Motu Proprio*. Wherefore, as Our own judgment coincides with this grave opinion of the Reverend Fathers, We, of Our own motion, from certain knowledge and with mature deliberation, changing the name of the aforesaid Commission and enlarging its province, do by this Letter and in a permanent manner establish the *Pontifical Commission in Charge oj the Means oj Social Communication,* to which, when anything is of interest to the Catholic religion, We entrust the care of motion pictures, radio and television, and whatever is printed and published, either daily or at intervals. As regards these printed publications the Commission shall devote itself to forwarding whatever projects this Apostolic See may deem appropriate in a matter of such grave importance.

Besides the duties assigned to it by the aforesaid Apostolic Letter *Boni Pastoris;*[8] this Office shall put into effect the principles and norms of the Decree of the II Vatican Council on the means of social communication and also draw up a Pastoral Instruction and submit it to Our judgment, according to article 23 of the said Decree.

The principal aim of the Commission, as is evident, shall be,

3 16 Dec., 1954; .AAS 46-783; Canon Law Digest, 4, p. 389, ref.
4 Pius XII, 8 Sept., 1957, AAS 49-765.
5 Decree on the Media of Social Communication, n. 19, footnote 1, reported above, p. 806.
6 Cf. footnote 2, above.

as provided in the Decree, to assist local Ordinaries in their pastoral functions concerning this matter.

As for the relations of the Commission with the Congregations of the Roman Curia — whose powers and faculties We do not propose to modify in any way by this Letter — let them be governed by the norms stated in the Apostolic Letter *Boni Pastoris.*

In order that the Commission may be able to fulfill its important new functions, it will be equipped with appropriate aids for the work and will have the assistance of experts in the use of the instruments of social communication, of whom a sufficient number will be assigned to the Commission itself by the Apostolic See.

In this way certainly this Pontifical Commission, according to its competence and with due regard to the doctrine of the Church and to the needs of our time, will be of great service in spreading the truth and thereby promoting concord among nations; for, as Our Predecessor of happy memory John XXIII declared: "if the truth is served, brotherly love among men is promoted at the same time."[7]

All that We have decreed and established by this *motu proprio* Letter shall remain firm and valid, all things to the contrary notwithstanding.

Given at Rome, from Saint Peter's, the second day of April in the year 1964, the first of Our Pontificate.

AAS 56-289; Paul VI, *Motu proprio,* 2 Apr., 1964.

Commission for Social Communications Media: Status unchanged by reorganization of Roman Curia. See c. 242; Paul VI, Ap. Const., 15 Aug., 1967, n. 133.

Supervision of. See c. 242; Paul VI, Ap. Const.. 15 Aug., 1067. n. 23.

Social Communication, Means of: .Allocution of Paul VI to varied group of persons active or interested, 6 May, 1967 (AAS 59-505).

Radio Message (televised), Paul VI on celebration of "World Day" for means of social communication, 2 May, 1967 (AAS 59-517).

Social Communications: Allocution of Paul VI to Archbishop Martin O'Connor, President, and the Pontifical Commission in charge of the media of social communication at their first full session, 28 Sept., 1964 (AAS 56-939).

[7] Quoted from an Allocution of John XXIII, of 24 Oct., 1961, AAS 53-723.

CANON 1385

Writings of Catholic Theologians in Collaboration With Protestants (Holy Office, 28 Feb., 1962) Private.

The Holy Office has frequently had need to examine works of a religious character written by Catholic theologians in collaboration with Protestants. This Sacred Congregation has been especially asked if and under what conditions Catholic theologians may participate in similar editorial endeavors.

After considering the various aspects of the question, this same Congregation believes that participation by Catholic authors in works of a mixed theological character can be authorized by Ordinaries only under the following conditions:

1. The works must be exclusively of a scientific character.
2. The articles, signed by each author, must be accompanied by a written notation of their nature as Catholic or Protestant.
3. In as far as possible, the publishing firm should be one which is very serious and, preferably, non-Catholic.
4. Finally, the Ordinary should also be informed by the Catholic authors about the writings of the non-Catholics or, at least, be made acquainted with their content so that he can form a judgment as to the appropriateness of collaboration on the part of the Catholics.

I have the pleasure of communicating these norms to Your Excellency so that they may be brought to the attention of the President of the Bishops' Conference and, through his mediation, to all the Ordinaries of the country.

(Private); Holy Office, 28 Feb., 1962, Prot. N. 327/58; reported in *Annales Congregationis Missionariorum Filiorum Cordis B. Mariae Virginis,* Maio-Iunio, 1962, pp. 344-345; use of the said issue of *Annales* kindly granted us by the local superior of the Claretian Novitiate at Terre Haute. Indiana.

CANON 1390

Decree on the Publication of Liturgical Books (S. C. Rit., 27 Jan., 1966) AAS 58-169.

Since new editions of liturgical books, especially those containing vernacular texts, are nowadays appearing nearly every-

where, it seems appropriate to give the following norms to safeguard the dignity and elegance of liturgical books, so that, in accordance with a very old tradition in the Church, more perfect works of human genius may be provided for divine worship and the faithful be inspired with proper reverence for sacred things.

1. Among liturgical books which give only the Latin text, the so-called ''typical edition" is the one which is published by the Polyglot Vatican Press in virtue of a decree of the Sacred Congregation of Rites.

But among liturgical books which contain the vernacular translation, either alone or in conjunction with the Latin text, that edition also is called "typical," which is issued by the Conference of Bishops in any country. The decree declaring such an edition "typical" is issued by the President of the Bishops' Conference or, upon his order, by the President of the national liturgical Commission. In the decree it must be stated that the Apostolic See has confirmed the text.

2. As regards the right to prepare editions *"iuxta typicam"*:

a) for publishing books which contain only the Latin text, this right is reserved to those publishers who have a Pontifical diploma;

b) for publishing books which contain both the Latin and the vernacular text, or the vernacular text alone, it may be granted by the Bishops' Conference of the nation to publishers of their choice.

3. It is desirable that in each Nation the Bishops' Conference, taking into account both the provisions of civil law and the customs in vogue regarding the publication of books, should determine which publishers are entrusted with the publication of books for liturgical use containing the vernacular text.

4. In books destined for liturgical use, the size, appearance, and everything about the printing should be such as to make for the elegance and reverence which are rightly looked for in liturgical books.

5. Editions of the Missal and Breviary which are for use in the liturgy and which give the vernacular translation, should contain also the Latin text, as provided in nn. 57 and 89 of the Instruction of this Sacred Congregation, of 26 September, 1964.[1]

[1] Reported above, p. 73.

The same rule applies to editions of the Roman Pontifical.

6. The popular translation should be attached only to those parts which, according to a decree of the Conference of Bishops, may be said in the vernacular.

7. The brief directions to be given by a priest or other competent minister (cf. Constitution on the Sacred Liturgy, art. 35, 3) which may at times be appropriately made to precede certain parts of the sacred rites, should be clearly distinguished from the liturgical text.

S. Before a publisher may proceed to the printing of books destined for liturgical use, he must:

a) in the case of books which give only the Latin text, obtain permission each time from this S. C. of Rites, and also come to an agreement with the Administration of the Property of the Holy See on the conditions which concern the publication of these books.

b) in the case of books which give the Latin together with the popular text, or the popular text alone, obtain permission from the President of the Bishops' Conference, and also come to an agreement with him on the conditions for publishing these books, both for the part which concerns the Administration of the Property of the Holy See, for the Latin text, and for the part which concerns the Bishops' Conference, for the vernacular text.

9. Concordance with the typical edition, both as to the Latin text and as to the popular text, which is to be certified by the local Ordinary according to canon 1390 of the Code of Canon Law, must not be signed before a careful and accurate examination has been made.

10. Without prejudice to what is stated in n. 5, the norms of this decree apply to the following books if intended for liturgical use: the Roman Breviary, the Roman Missal, the Roman Ritual, the Roman Pontifical, the Roman Martyrology and the Bishops' Ceremonial, and also to books of Gregorian chant, whether there is question of the entire book or only a part of it.

11. In order that there may be a center where one can find the whole series of all the liturgical texts that are in use in any part of the world, the Presidents of the Bishops' Conferences:

a) should communicate to the Commission for Implementing the Constitution on the Sacred Liturgy the names of the pub-

lishers to whom the work of preparing liturgical editions has been entrusted;

Z›) should see to it that two copies of liturgical editions issued in their territory be sent to the Secretariate of the said Commission.

In the Audience of 27 January, 1966, granted to His Eminence Cardinal Arcadio Larraona, Prefect of the S. C. of Rites, the Supreme Pontiff approved this decree, which had been drawn up by the Sacred Congregation of Rites and the Commission for Implementing the Constitution on the Sacred Liturgy, confirmed it by his authority and ordered that it be published, and faithfully observed by all concerned.

All things to the contrary notwithstanding.

Rome, 27 January, 1966.

AAS 58–169; S. C. Rit., 27 Jan., 1966. Commentary in *Notitiae,* 2 (1966)–175–180. Annotations: *Ephemerides Liturgicae,* 80 (1966)–234–237 (Braga).

CANON 1396

The Index of Forbidden Books No Longer Has the Force of Law (S. C. Doct. Fid., Notification, 14 June, 1966) AAS 58-445.

After the *motu proprio* Apostolic Letter of 7 December, 1965, beginning with the words *"Integrae servandae,,n* the Holy See has received many inquiries about the status of the Index of forbidden books, which until now has been used by the Church to safeguard the integrity of faith and morals according to her divine commission.

In order to reply to these requests, the Sacred Congregation for the Doctrine of the Faith, *jacto verbo cum Beatissimo Patre,* announces that the Index retains its moral force, inasmuch as it warns the Christian conscience to be on guard, as the natural law itself requires, against those writings which can endanger the faith or good morals; but that the Index and the censures connected with it no longer have the force of ecclesiastical law.

Therefore, the Church trusts in the mature conscience of the faithful, especially of Catholic writers and publishers and of per-

l AAS 57-952, reported above, p. 358.

sons engaged in the education of youth. But the Church puts her strongest hope in the watchful solicitude of local Ordinaries individually and of regional Conferences, who have the right and duty to examine and forestall harmful books and in proper cases to censure and disapprove them.

In accordance with the Apostolic Letter *"Integrae servandae"* and the decrees of the Second Vatican Council, the S. C. for the Doctrine of the Faith shall if necessary keep in touch with the Ordinaries of the Catholic world to help them in their work by giving a moral appraisal of published works and promoting sound as opposed to insidious culture, joining forces also with Catholic Institutes and Universities.

And in case doctrines and opinions contrary to the principles of faith and morals are in any way made public, if the authors, after being courteously invited to correct their errors, refuse to do so, the Holy See will pursue its right and perform its duty to disapprove such writings even publicly, so as to protect the good of souls with proper firmness.

Finally, suitable provision will be made so that the judgment of the Church upon published works may come to the knowledge of the faithful.

Given at Rome, from the headquarters of the Holy Office, 14 June, 1966.

AAS 58-445; S. C. Doct. Fid., Notification, 14 June, 1966. Annotations: *Anti du Clergé, 76 (19661-542-544* (Dclhaye) ; *Periodica,* 56 (1967)–116–13S (Bortolotti) ; *Sal Terrae,* 55 (1967)-301-302 (Regatillo).

CANON 1397

Instruction Regarding Establishment of Doctrinal Commissions (S. C. Doct. Fid., 23 Feb., 1967) Private.

The following instruction was sent to all Bishops of the world.

In his letter, *Integrae, servandae,* issued *motu proprio,* 7 Dec., 1965? the Supreme Pontiff, Pope Paul VI. changed the name of this Sacred Dicastery and altered its operation so that it could, with greater benefit and in view of the times, perform its specially

l Reported above in this volume, p. 358.

proper task of safeguarding and duly promoting the teaching of faith and morals.

It is fitting that the Bishops, since they shoulder this duty with the Roman Pontiff as head, share in this solicitude which concerns the benefit of the whole Church.

Today, certainly, there are advances in the sciences which, for the most part, produce an increase of knowledge only by the combined efforts of many persons. It usually happens also, as experience testifies, that the ideas and beliefs of any discipline whatever are soon spread throughout the whole world by the remarkable increase of the so-called media of social communication in our time. In a special way is this true of religious problems which today are not confined within the walls of any single church or school but which from day to day openly obtrude on the minds of many of the faithful and even of highly educated persons since God does not leave mankind without witness to Himself.

Wherefore, in our task, it is necessary that the Bishops of each nation should unite with one another and, similarly, all of them with the Apostolic See. In such wise ‘‘the unity of the priesthood stands forth.” However, to attain this end, it will be very advisable that in the Conferences of Bishops, as they are called, a doctrinal commission be set up to keep an eye on published writings, encourage religious knowledge worthy of the name, and render assistance to the Bishops in the evaluation of books.

Moreover, the Holy See recognizes and praises those Conferences of Bishops which have alread\r taken this step. On the other hand, those Conferences which have not as yet established such a commission, this Sacred Congregation, with the whole-hearted approval of the Supreme Pontiff, exhorts to set one up as soon as possible.

Therefore, in a spirit of brotherly Catholic interchange, this S. Dicastery wishes especially that the Bishops themselves, acting individually or as a body, in keeping with their duty and right to safeguard the faith, strive to inform this same S. Congregation of those things which they believe have notable importance regarding the teaching of faith and morals. They should also suggest those remedies which seem to them best fitted in the Lord to eradicate the errors, if possible. For the achievement of this

purpose, it will be necessary that the aforesaid commissions perform special work.

In the discharge of this task, there is no doubt but that the professors of Catholic universities can contribute much as well as other learned men whom the Bishops should call in as collaborators in the work.

Finally, this Sacred Congregation earnestly requests those Bishops in whose territory publishing houses exist, to send here noteworthy publications which are foreseen will have a broad notable influence, for good or for bad, in what pertains to Catholic doctrine and related opinions.

(Private); S. C. Doct. Fid., 23 Feb., 1967; reported in *Nuntius,* 1 (1967)-15-16.

Erroneous or Equivocal Opinions: Letter to presidents of Conferences of Bishops on, in circulation today. S. C. Doct. Fid., 24 July, 1966 (AAS 58-659). Annotations from the S. Cong, itself in *Nuntius,* 1 (1967)-2O.

CANON 1399

Canons 1399 and 2318 Explicitly Revoked (S. C. Doct. Fid., 15 Nov., 1966) AAS 58-1186.

A decree of the Sacred Congregation for the Doctrine of the Faith:

After the publication of the Notification of 14 June of the current year,1 this Sacred Congregation for the Doctrine of the Faith was asked:

Question: Whether canon 1399 by which certain books are forbidden *ipso hire,* and canon 2318 by which certain penalties are decreed against those who violate laws concerning the censure and prohibition of books, remain in effect.

Reply: When these questions were presented in the plenary session of Wednesday, 12 October, 1966, the Eminent Fathers in charge of safeguarding matters of faith, decided to reply:

1. In the negative to both, as regards the force of ecclesiastical law; inculcating again, however, the validity of the moral law, which completely prohibits the endangering of faith and good morals;

1 S. C. Doct. Fid., 14 June, 1966, AAS 58-445, reported above, p 814.

2. Persons who may have incurred the censures mentioned in canon *23 IS* are to be considered absolved from them *ipso facto* in virtue of the abrogation of that canon.

In the Audience granted to His Eminence the Cardinal Pro-Prefect of the S. C. for the Doctrine of the Faith on 14 October 1966, the Supreme Pontiff Pope Paul VI deigned to approve the aforesaid decree and ordered that it be published.

Given at Rome, from the office of the S. C. for the Doctrine of the Faith, 15 November, 1966.

AAS 58-1186; S. C. Doct. Fid., Decree, 15 Nov., 1966.

Note: Before the present decree was published, it was a serious question whether canon 1399 should be considered as indirectly or implicitly revoked by the Notification of 14 June, 1966 (AAS 58–445, reported above under canon 1396). In commenting on that document (namely, the Notification of 14 June, 1966) Bortolotti has an interesting study of this question (cf. *Periodica,* 56, 1967, pp. 116-138) and concludes that canon 1399 must be considered as implicitly revoked. The present explicit revocation of both canons 1399 and 2318 confirms the validity of his arguments. His study of the subject is therefore the best commentary on this latest document as well as on the earlier one of 14 June, 1966.

Use of "Common Bible" Not Forbidden. See c. *222,* Constitution on Divine Revelation, n. 22.

CANON 1403

Faculty to Read and Retain Prohibited Books. See c. 66; Sec. St., 6 Nov., 1964, n. 10; c. 329; Paul VI, 30 Nov., 1963, n. 40.

CANON 1406

Profession of Faith and Oath against Modernism: New formula, *in Latin.* S. C. Doct. Fid., no date (AAS 59-1058).

CANON 1409

System of Benefices: Should be abandoned or reformed. Sec c. 222, Decree on the Ministry and Life of Priests, n. 20.

CANON 1423

Parish: Union *pleno iure* to Chapter. See c. 222, *Afotu proprio,* 6 Aug., 1966; AAS 58-757, I, 21.

CANON 1427

Induit to Rearrange Parish Boundaries (S. C. Consist., 28 Mar., 1964) Private.

Petition. Since in recent years circumstances of time and fortune have affected several very extensive changes in residences and streets in the total territory of the Archdiocese of San Antonio, the limits of certain parishes have become non-existent or uncertain or no longer are convenient for the faithful.

Wherefore His Excellency, Robert E. Lucey, Archbishop of San Antonio, in the interest of greater spiritual good to the souls entrusted to him, earnestly requests of the Apostolic See that he be empowered to assign new or certain or more appropriate parish boundaries in the whole archdiocese.

The aforesaid Archbishop will prudently use the said faculty after consulting the pastors and all other interested parties.

Reply. In the audience of 28 March, 1964, His Holiness, Pope Paul VI, after having heard the report of the undersigned Cardinal Secretary of the Sacred Consistorial Congregation, graciously deigned to grant the Most Reverend Petitioner the favor as requested.

All things to the contrary notwithstanding.

(Private); S. C. Consist., 28 Mar., 1964, Prot. No. 287/64; copy kindly sent us by the Rt. Rev. Msgr. J. Leroy Manning, Chancellor of the Archdiocese of San Antonio.

CANON 1435

Benefices: Only consistorial offices and benefices reserved to Holy See. See c. 222, *Motu proprio,* 6 Aug., 1966; AAS 58-757, I, 18.

Reservation of Appointments to Parishes. See c. 222, Decree on the Pastoral Office of Bishops, n. 31.

CANON 1489

Society of Saint Vincent de Paul: Allocution of Paul VI to the President and General Council, 9 Nov., 1964 (AAS 56-1004).

CANON 1495

Works of Art Belonging to the Holy See (Paul VI in Audience to the Secretary of State, 2 July, 1965) AAS 57-677.

SECRETARIATE OF STATE

from an Audience with His Holiness
2 July, 1965

The Holy Father in an Audience granted to the undersigned Cardinal Secretary of State on the 2nd of July, 1965, deigned to approve the attached Regulation concerning the lending of works of art which belong to the Holy See.

His Holiness deigned also to order the promulgation of the said Regulation and its publication in the *Acta Apostolicac Sedis.*

Ψ Amleto Giovanni Card. Cicognani

REGULATION REGARDING THE LENDING OF WORKS OF ART BELONGING TO THE HOLY SEE

The Holy See. which considers works of art as a precious and irreplaceable document for the history of the civilization, culture, and piety of peoples, guards with special care the historical relics of ancient art and the artistic works in its possession, and to this end takes every precaution and uses the most effective technical devices.

The Holy See, fearing that to grant the frequent requests for the loan of artistic works in its possession might involve danger of injury to them, has decided that the granting of such requests be governed by precise norms, which are contained in the following Regulation.

Art. 1

Works of art which are the property of the Holy See fall under three categories:

a) the pontifical artistic and archaeological collections which are in Vatican City;

b) all the works of art which are in the buildings mentioned in articles 13, 14, 15 and 16 of the Lateran Treaty between the Holy See and Italy, as well as those which are in the Pontifical Basilicas mentioned in article 27 of the Concordat;

c) any work of art or collection which has a historical or artistic interest, which belongs to the Holy See, coming from acts of liberality either *inter vivos* or *mortis caiisa,* and which are preserved in collections outside the State of Vatican City.

Art. 2

The works of art in the first and second categories, in view of their exceptional historical and artistic value, and because they are the prime essential elements of the Vatican, where they are to be seen by visitors (for example, in the Museums, the Galleries, the Basilica) and by students (the Vatican Library and Archives), shall not be subject to removal as a temporary loan or for shows, expositions, or celebrations.

This practice is the same as is observed by some of the great museums of the world.

Art. 3

Eventual requests concerning the works of art mentioned in the third category, for Expositions and Shows, can be taken into consideration only when the request is of a predominantly religious character, or when there is an exceptional motive of study, and not merely the cultural and aesthetic motive, and much less a purely profane one.

Every request which is not from the outset excluded by a higher authority, shall be examined by the Permanent Commission for the Guardianship of Historical and Artistic Monuments of the Holy See, and shall be presented by the interested parties through diplomatic channels or, if the request comes from an ecclesiastical body, through the local ecclesiastical authority.

Rigorously excluded from borrowing are those monuments, objects or works of art which, because of their fragility, their sensitiveness to variations of climate, their state of preservation, the insecurity of means of transportation, or for other reasons, it would be too risky to move, or which, because of their extraor-

dinary value, cannot be removed from the place where they are exposed or from the surroundings for which they are destined.

Art. 4

In case permission is given for the loan of a work of art or a collection belonging to the third category, the General Direction of Pontifical Monuments, Museums, and Galleries will be given the charge of determining the manner of execution, including all the technical precautions, insurance, and other matters which are considered most suitable for the safety of the operation.

Art. 5

This Regulation is to be published in the *Acta Apostolicae Sedis* and is to be in force from the very day of its publication.

AAS 57-677; Paul VI, in the Audience of 2 July, 1965. The date of publication was 5 September, 1965.

Prefecture for Economic Affairs of the Holy See: Establishment and functions. See c. 242; Paul VI, Ap. Const., 15 Aug., 1967, nn. 117-121.

CANON 1517

Faculty to Reduce Masses. See c. 329; Paul VI, 30 Nov., 1963, nn. 11, 12.

CANON 1518

Prefecture for Economic Affairs of the Holy See: Establishment and functions. See c. 242; Paul VI, Ap. Const., 15 Aug., 1967, nn. 117-121.

CANON 1532

Limit-Values for Alienations and Debts Defined Anew in Terms of Swiss Francs (S. C. Consist., 13 July, 1963) AAS 55-656.

A decree of the Sacred Consistorial Congregation:

Because the course of events and the conditions of commerce were constantly changing, the Holy See has more than once been

obliged to employ new decrees in regard to the prescriptions of canons 534 and 1532.

Consequently the Sacred Consistorial Congregation, taking account of present conditions, so that one uniform standard may be followed, by order of His Holiness Paul VI, through this new decree prescribes the following regulations:

1. The thirty thousand francs mentioned in canons 534 and 1532 shall be understood as 66.000 Swiss francs (Franken, Francs, Franchi).

2. One thousand francs shall be understood as one thirtieth part of 66.000, therefore as 2.200 Swiss francs.

3. All administrators of ecclesiastical property who are concerned in this matter are bound to observe these norms.

4. Bishops' Conferences in the various countries shall determine the amount in local currency which is equivalent there to the number of Swiss francs above mentioned, and shall give notice of their decision to the Holy See.

All previous regulations are abrogated.

Given at Rome from the Sacred Consistorial Congregation, 13 July, 1963.

AAS 55-656; S. C. Consist., 13 July, 1963. Annotations, *Periodica,* 52 (1963)–531 (Buijs) ; *Laurcntianum,* 4 (1963)–492 (Di Iorio).

Limit Values for Alienation in various national currencies. See c. 66 ref.; private, undated rescripts from Episcopal Conferences.

CANON 1551

Faculty to Reduce Masses. See c. 329; Paul VI, 30 Nov., 1963, nn. 11, 12.

BOOK IV

PROCEDURE

Canons 1552 - 2194

BOOK IV

PROCEDURE

Canons 1552-2194

CANON 1594

Appellate Tribunals: Military Vicariate of Austria chooses: for first instance, *Linciensis;* for appeal, *Vindobonensis.* S. C. Consist., 29 May, 1966 (AAS 58-448). Cf. Instruction of S. C. Consist., *Sollemne semper, 23* Apr., 1951; Canon Law Digest, 3, p. 313 (AAS 43-562).

New Orleans, now goes to Chicago (AAS 58-321). Formerly it was to Oklahoma City-Tulsa. See Canon Law Digest, 4, p. 398.

CANON 1598

Rota, Sacred Roman: Allocution of Paul VI to officials and members, 11 Jan., 1965 (AAS 57-233).

Paul VI, Allocution to Auditors, Officials, Advocates, 26 Jan, 1966 (AAS 58-152).

CANON 1646

Non-Catholic as Plaintiff (S. C. Doct. Fid., 12 Feb., I960)

Private.

In your letter of 17 December, 1965, Your Eminence requested that L., a non-Catholic woman, be given the right to sue in court before an ecclesiastical tribunal for the nullity of her marriage contracted with S., also a non-Catholic.[1]

In this regard I inform you that in cases of this kind the Ordinary who is competent to draw up the process in first in-

[1] Cf. Canon Law Digest, 1, p. 762, can. 1960, ad I.

stance can grant to the petitioner the faculty to sue in court even though the person is a non-Catholic, and this is true also in a case for nullity.

(Private); S. C. Doct. Fid., 12 Feb., 1966, Prot. No. 2430/65m; copy of original kindly sent us by the Rt. Rev. Msgr. Stephen J. Kelleher, *Officialis* of the Archdiocese of New York.

Note: The 1966 Committee on Research of the Canon Law Society of America reports that several dioceses have received rescripts similar to the above.

Sanation Where Plaintiff Lacked Capacity to Enter Suit. See c. 1892; Sec. St., 31 Oct., 1966; Rota, 4 Nov., 1966.

CANON 1648

Appointment of Guardian for Mentally Ill in Ecclesiastical Trials (Rota, 30 Sept., 1965; 2 Dec., 1965) Private.

Following are two decrees of the S. R. Rota deciding an incidental question as to whether a mentally ill person must always have a guardian appointed by the judge.

I

After having searchingly examined the statement of the Counsel, the opinion of the Defender of the bond, and a further declaration by the Counsel, and after having also heard the Promoter of justice, the undersigned Referee *(Ponens)* calls attention to what follows and decides:

Since, from the declaration of the Bishop of Leeds made on 20 August, 1964, the party summoned did not require a guardian during the course of the trial in first instance which upheld the bond, the proceedings of the Court of first instance cannot be considered as null and void and neither, as a result, can the sentence nor the appeal to the S. Rota nor the decree of resolution of doubt lodged in the S. Rota, especially since *not all* mental illnesses in *any* degree of disease *whatever necessarily* and *certainly* render the patient incapable of personally standing in court. Otherwise, there is no reason for not granting that if for a party who personally stood in court during the trial in first instance, a guardian could and should be constituted because of his mental condition, the party would be worse off when the trial in second instance begins.

A guardian must necessarily be appointed at any stage of the trial and in any phase of said trial as soon as the patient's condition requires such action in the opinion of at least one expert as well as in the case where nobody was consulted but where the mental deordination of the patient is such as to be beyond question even by non-professionals. Wherefore, as long as there is no evidence of absolute necessity or *doubt exists,* nullity of the proceedings cannot be safely concluded.

Therefore, since in the case at hand everything must be said to be at least doubtful, there is no obstacle toward further procedural action.

For all juridical effects, notice is to be given to the Reverend Fathers of the turnus, the Promoter of justice, the Defender of the bond and the Counsel.

(Private); Rota, 30 Sept., 1965; reported in *Monitor Ecclesiasticus,* 92 (1967)–323–324.

II

Note: The Defender of the bond and the Counsel interposed an appeal to the Turnus against the above decree. The Turnus met on 11 Nov., 1965 and voted to defer decision until the 2nd of December. The decision:

Having assembled on the appointed date, the Reverend Fathers set down these animadversions and decisions:

1°) The reasons which prompted the Defender of the bond to raise the question of nullity of the proceedings and sentence of the Court of first instance were written by the Defender of the bond himself in his opinion which he took care to manifest on 22 April. 1965. Full agreement with these reasons was had by the Promoter of justice whom he summoned and by the plaintiff s Counsel.

2°) Nevertheless, the Fathers of the Turnus to whom the Defender of the bond lodged an appeal, wish to confirm the arguments set forth by the Referee in his decree of 30 September, 1965. And. furthermore, other points must be added as will be evidenced in what must now be said.

3°) Erroneous is the principle which Counsel defends when he writes: . . the capacity or fitness of parties to stand in court

must be certain and not dubious because the consequences flowing from the sentence are serious and they also must be certain. . . . Hence follows the *necessity* of appointing a guardian at least as a precautionary measure. And yet this action was not taken."

On the contrary, capacity to stand in court belongs to members of the Church by natural law itself and must be held inalienable as long as the opposite is not strictly and certainly proved.

It follows that it is indeed desirable that this capacity be certain, but it also follows that *dubious* capacity must be considered certain just as a sentence whose validity is doubtful must, as regards all juridical effects, be held as valid.

This view is expressly sanctioned in canon 15 of the Code of Canon Law where we read: "Laws, even invalidating and incapacitating laws, have no binding force if a doubt of law exists." In the case at hand, however, the question is precisely one of a doubt of law: namely, must a guardian necessarily be appointed when the condition of the patient does not demand such action in a patent manner and when the doctors have made no pronouncement that it is necessary to appoint a guardian and when the Bishop, as local Ordinary, believed a guardian was not to be appointed?

Neither should Counsel obfuscate the issue by appealing to provisions which are sometimes employed as precautionary measures. There is a world of difference when one considers solely the realm of prudence and opportuneness and that of necessity. By no means can it be sustained that invalidity follows from omission of an act of prudence or opportuneness.

4°) Furthermore, in relation to the present case, proof is had from the letter of the *Officialis* of Leeds written on 25 July, 1964, and from the letter of the Bishop written on 20 August, 1964, that the Reverend Father Peter Walmsley was assigned to the summoned party as attorney, counsel and guardian *ij and to the extent* that the said summoned party had need of a guardian.

Consequently, a guardian was actually appointed *as a precautionary measure* and most certainly he was present at the trial, even if he remained completely silent because the party was personally able to respond. That his name was omitted in the sentence is, truly, a fact we deplore but we cannot therefore consider the sentence null and void.

It is not part of our task to seek out the reasons why the offices of counsel and guardian were vested in one and the same person. For here the investigation to be made does not center on what is fitting but on what pertains to validity and invalidity. Nowhere, however, is it prescribed under pain of nullity that the person who is counsel must be different from the person who is guardian.

5°) Finally, it must be pointed out that our law prescribes and sets forth: "For minors and for those deprived of the use of reason, their parents or tutors or guardians *are obliged* to plead and defend their cases. If the judge believes that their rights are in conflict with the rights of the parents or tutors or guardians. . . . then they should stand in court through a guardian appointed by the judge." (cf. can. 1648).

And yet, in the case we are examining, the mother of the summoned party was present and actually answered the Judge's questions. In no sense is there proof that the rights of the son were in conflict with the rights of his mother.

Do not object that the son, in the instance, had attained his majority and, as a result, was emancipated. The law does not distinguish between insane persons who have attained their majority and those in their minority. Rather, it legislates for all insane persons in general that their parents, above all, and then, *ij and to the extent necessary,* their tutors or their guardians *must* plead and defend their cases. Likewise the law provides a guardian must be appointed *only ij the rights oj the parents are in conflict with the rights oj their children* as well as in other definite circumstances which do not pertain to our case.

In other respects, it is well known that, by natural law itself, parents retain the sum total of rights and obligations as regards their offspring, for example, nourishing them when there is necessity and the offspring cannot provide for themselves: helping them with advice, exhortation, remonstrance; caring for them when they are sick; and so forth. As a result, it is no wonder that the Church, when interpreting the natural law precepts, sanctions in her law the fact that the *primary and principal* representatives of insane children are their parents and that, if the parents are present and active, there is no need of the services of another guardian.

After weighing everything both in law and in fact, the Fathers of the Turnus set it down:

The Decree of the Referee, given on 30 September, 1965, must be confirmed; consequently, in the instance, there is no proof of nullity of the sentence of the Court in first instance.

(Private); Rota, 2 Dec., 1965; reported in *Monitor Ecclesiasticus,* 92 (1967)-324-326 where it is noted at the end of p. 326 that both the Defender of the bond and Counsel appealed the decision to another Turnus of the Rota which also confirmed the said decree.

CANON 1753

Meaning of *Tempore Non Suspecto* (Rota, 20 June, 1967)

Private.

The names used in the following case are fictitious.

Facts. In 1942 Irma, a Catholic, married Bruce, a non-Catholic, in the Catholic Church after having obtained a dispensation from the impediment of mixed religion. Prior to the wedding, the parties often discussed the topic of having children after they married. Bruce declared himself absolutely opposed to having any children but as a result of continued insistence by Irma, agreed to take steps towards having children after three years of married life. However, Bruce's actions belied his words since he always took care that his wife never became pregnant from their marital relations. Irma never left off demanding that Bruce live up to his promises. Finally, Bruce informed Irma that he was tired of her arguments about having children. He left her, got a divorce in 1949 and married another woman. Years later, Irma filed suit with the ecclesiastical tribunal of A. for a declaration of nullitv of her marriage on the ground of exclusion of children on the part of her husband. The Court of First Instance returned a favorable decision which, however, was not sustained by the Court of Second Instance. Irma then appealed to the Rota which gave the following exposition and decision.

The Law. Well-founded jurisprudence teaches that a marriage is invalid if both or one of the parties positively and perpetually excludes children, provided that the obligation regarding children is understood in its basic terms, that is, that children arc the purpose to which marriage as an institution of nature is ordered, or that it is the obligation of giving the right over one's

body for acts which of themselves are suitable to generate children. This right is the essential object of the consent whereby the marriage contract is established.

Proof of simulation in most cases finds its origin in a confession by the party who asserts simulation since he alone knows what he really intended when entering the contract. However, since the judicial confession by the simulator of itself does not constitute suitable proof as is noted in art. 117 of the instruction. *Provida mater,*[1] published in 1936, it is necessary that such a confession be confirmed from other sources, for example, an extra-judicial confession made at a non-suspected time *(tempore non suspecto}* for which trustworthy witnesses are had as well as the existence of a serious and proportionate cause for the simulation.

Suspected time *(tempus supedum)* is commonly understood as that in which the simulator has already discovered that he can get a declaration of nullity as a result of his simulation. And so one who is ignorant of the law or who spurns the ecclesiastical law concerning the nature of matrimonial consent can hardly ever be said to have manifested his mind to others at a time which is truly suspect if danger of collusion has been removed.

Although Irma's suit to sustain nullity of her marriage is founded on only a few basic points, nevertheless, the Fathers held that the assumption derived from them is sufficiently probative.

Irma admits that from the pre-marital discussions she understood that the man was absolutely opposed to having children but. as a result of her persuasion, modified his position to agreeing that they would have children after some years. Consequently, in as far as Irma is concerned, the marriage was contracted with the declared intention that while the contract would be firm, they would act in violation of the use of marriage at least during the first years of married life. Irma never suspected that she was being deceived until six years after entering the marriage when her husband deserted her. saying he was tired of the arguments regarding children.

Moreover, the defendant denies he ever had the intention to avoid having children only on a temporary basis: he contracted marriage with the set intention of excluding children once for all.

[1] Reported in Canon Law Digest. 2, pp. 471-530.

It will be worth noting here that the man, like very many modern non-Catholics, in no sense accepts the Catholic teaching on matrimony and especially on what concerns the obligation regarding children as the primary purpose of marriage. He clearly states: "I did not accept the Catholic teaching about children in marriage. I believed this is matter for a personal decision." In various statements he always professed this erroneous belief.

Nor is there question of simple error because "the question of children came up very often immediately prior to the wedding" and "in this marriage I did not believe that Irma had the right to expect children from the marriage. Why? Because I had made it a condition for the marriage." And again: "Tn my own mind, a condition for the marriage was the non-having of children." He states he laid down the exclusion of children for economic reasons and, moreover, he wanted to be free to work as a writer.

In confessing these points, he could not have described more clearly the will which he had and which did not contain valid matrimonial consent: he refused to set up. even basically, a union with Irma which would be essentially" ordered toward children. This was not a union which prescinded from the question of children but which totally excluded them.

Since juridical proof cannot rest on the confession of the parties, such as the man's words herein reported, even if they square with the truth, a decree cannot be had declaring nullity of marriage unless the confession is solidly confirmed by proof from other sources.

It is above all helpful to note that the statements of the man enjoy a certain kind of *a priori* probability because they harmonize with the current prevailing opinion regarding the nature and purpose of marriage which does not propose a recondite form of error or one almost unknown to people. Its tenets regarding the obligations attendant upon marriage are admitted by very many among whom are also some Catholics.

Moreover, the man's declared intention of reserving to himself any right concerning children and his cleverness in circumventing the girl well square with his character as it is described by witnesses. There is unanimous agreement that he was extremely self-indulgent and that he had no scruples in carrying on business affairs. Thus R. M. says of him that "He was good for nothing," and then went on to say that he could not trust him when

there was question of business transactions or making money. The witness did not deny that the man would be credible if he were put under oath to tell the truth. The same affirmations were made by other witnesses, especially by A. H. who had suffered much from the man's maliciousness and who stated: l;He is completely dishonest and insincere; he was not concerned about the rights of Irma; he is a very egotistical person."

Furthermore, the judgment voiced by the witnesses is confirmed by the man's confession made to Mr. and Mrs. H. that he married Irma only to make money and that he had no sentiments of love for her.

In addition to these indications of a will alreadj' tending to the exclusion of children, the acts also give evidence which shows that the man had really decided before marriage to exclude children. Thus Mr. and Mrs. H. declared that they had it right from Bruce's mouth that he "did not intend to stay married and he did not intend to have children by Irma." Other witnesses similarly testified and, a short time before Bruce deserted his wife, Mr. B. heard him declare his views, when Mr. B. asked him why Irma had no children: "She would love to have children but, if we had them, it would be impossible for me to take trips to remote places for research."

It should not be objected that doubt must be had whether the above-mentioned testimony of Mr. and Mrs. H. was had from a confession made by Bruce before or only after the wedding, or because the testimony of Mr. B. looked to words uttered six years after the marriage was contracted.

It makes little difference at what time Bruce opened his mind to others since from the circumstances it is clear that there was no question of suspected time. No profit was to accrue to either Bruce or the witnesses from lying about the intention he had when he entered marriage. All the parties are non-Catholic and are completely ignorant of and not even curious to know the Catholic teaching on the nature of matrimonial consent.

What benefit would be had for Bruce if he had concealed the truth from his friends who were non-Catholics? It was not for such motives that civil divorce is granted and only that kind of motive held importance for them.

Wherefore, the Fathers believed that the judicial confession of the man is sufficiently confirmed by circumstances and by

proof from witnesses, that is, they held that the man married Irma drawn on by motives of avarice and lust, and that, with equal malice, at the same time resolved absolutely to exclude all children.

Therefore, having weighed everything in law and in fact, we the undersigned Auditors of the Turnus declare and definitively decide in answer to the proposed question:

In the affirmative, that is, *constat de nullitate matrimonii in casu.*

(Private); Rota, 20 June, 1967, Prot. N. S614; translated from copy of the original.

Extrajudicial Confession: Value of, as evidence of intention. Sec c. 1817; Rota, 26 Apr., 19o3.

CANON 1817

Proof by Documents: Intention to Simulate Matrimonial Consent (Rota, 26 Apr., 1963) Private.

Facts. The man, J.M., had had relations with the girl, I.F., and she became pregnant. The danger of scandal was imminent, as both belonged to prominent families. So the parents of both, and the girl herself, insisted that a marriage take place, although neither of the parties intended a genuine and permanent union. The man finally yielded to the pressure and the marriage was celebrated. The child conceived before was never born (the man disclaimed paternity and contended that the woman alone procured an abortion); but four children were born of the cohabitation. After a short time the union ceased to have even the appearance of concord. Eight years after the marriage, immediately after the death of the father of J.M., the latter began proceedings for a declaration of nullity on two grounds: coercion *{vis et metus)* exercised upon himself, and an intention on the part of both *contra bonum sacramenti.* The first ground had been rejected in two decisions of the Tribunal *Vicariatus Urbis;* only the second ground, therefore, *{contra bonum sacramenti)* is considered in this appeal to the Rota. The outcome will depend almost entirely on the probative value of a document which the

plaintiff, J.M., had signed and delivered in a sealed envelope to a civil notary ("avoué") in Paris, about two months before the wedding, declaring that neither party would have the intention, in the forthcoming ceremony, to contract a genuine indissoluble marriage.

In Iure. *Nature and Probative Value oj this Document.*

1. Evidently it is not a *public ecclesiastical document* (can. 1813, § 1).

2. Since the sealed letter was deposited with a public notary recognized by French law, it is to be considered a *public civil document* (can. 1813, § 2), but only as to the fact of the deposit having been made on a certain date. As for the contents, since the letter was sealed, the notary knew nothing of them and could not certify to them. The document itself, therefore, is not a public document.

3. It is therefore a *private document,* and according to canon 1817 has the same probative value as an *extrajudicial confession.* Such a confession, according to canon 1753 and the Instruction on Matrimonial Procedure, n. 116, "constitutes an item of proof whose force is to be properly estimated by the judge." (Cf. Canon Law Digest, 2, p. 500).

4. It is more than a *simplex adminiculum.* This latter is defined as "something accessory which may help to discover the truth if it is corroborated by other means and confirmations, but has no value or probative force in itself" (Lega-Bartoccetti, *Commentarius in iudiciis ecclesiasticis,* III, p. 169). But to deny all probative value to an extrajudicial confession such as this would not be right. Manv cases of simulation of matrimonial consent, partial or total, are decided by the probative force of extrajudicial confessions (statements of intention made *tempore non suspecto,* proved usually by witnesses who heard them). Such statements may also be presented in the form of a document, as in the present case.

5. Consequently this document has the value attributed to it by canon 1753 and n. 116 of the Instruction — "an item of proof whose force is to be properly estimated by the judge.'

Decision. After considering the terms of the document, its date and authenticity, all the circumstances of the case, and some other items of evidence, the Court decided that the inten-

tion *contra bonum sacramenti* in both parties was sufficiently proved. Hence:

Constare de nullitate matrimonii in casu, vetito utrique parti transitu ad alias nuptias, donec coram loci Ordinario iuraverint se novum matrimonium cum recta intentione, sine exclusione indissolubilitatis, inire velle et inituros esse.

(Private); Rota, 2S Apr., 1963, *coram Sabattarii;* reported in *Monitor Ecclesiasticus,* 89 (1964)–172-195.

CANON 1886

Abandonment of Appeal by Refusal of Rotal Defender of Bond to Prosecute Appeal (Rota, 13 May, 1964) Private.

Setting. In a formal trial processed in Los Angeles, the tribunal of first instance, on the grounds of an intention *contra bonum prolis* on the part of the man, an affirmative decision was given. In the tribunal of second instance an affirmative decision was also given. The Defender of the Bond in second instance appealed against the decision.

Decision. Concerning the above case the Reverend Ponens issued the following decree.

Since the Defender of the Bond of this Sacred Tribunal has declared that he will not prosecute the appeal interposed against the sentence of the Monterey-Fresno Tribunal, 19 December, 1963, confirming the sentence of the Los Angeles, California, Tribunal, 21 December, 1961, decreeing nullity of the marriage, by these presents it is decided that the appeal has been abandoned and the spouses have the right to contract new marriages but the man may do so only after he has declared before the Ordinary that he will contract a new marriage in accord with divine law.

(Private); Rota, Notification, 13 May, 1964, Prot. No. 8314; copy of rescript kindly sent us by the Rt. Rev. Msgr. Michael O'Callaghan, Secretary of the Tribunal of the Archdiocese of Los Angeles.

CANON 1892

Sanation for Acts and Sentence Where Plaintiff Lacked Capacity to Enter Suit (Sec. St., 31 Oct., 1966; Rota, 4 Nov., 1966) Private.

Case: A suit was originally presented for annulment of marriage on the grounds of *ligamen.* The investigation could not be concluded summarily as allowed by canon 1990. When the same Tribunal continued the solemn process, it did not obtain a standing in court for the non-Catholic plaintiff.[1] Hence the Tribunal of second instance questioned the validity of the process in first instance.

Reply: With reference to the case indicated above, I think I must first of all inform you that the petition which Your Excellency laid before the Supreme Pontiff by way of the S. C. for the Doctrine of the Faith, has come to this Apostolic Tribunal.

However, after receipt of the petition, further delay was necessary because what was requested did not fall within our faculties and, as a result, had to be referred and reported to His Holiness.

Now at last I am extremely pleased to inform you that on 31 October, 1966, N. 81559, the Secretariate of State of His Holiness has replied and left it to me to inform you that *if and insofar as need may be, the acts of the process and the sentence in the case have been sanated and the plaintiff rendered capable of pursuing the case in further court steps.*

(Private); Sec. St., 31 Oct., 1966, Prot. N. 81559; Rota, 4 Nov., 1966, Prot. N. Rep. 9787; summary of case and copy of reply kindly sent us by the Rev. Robert A. Amann, Asst. Chancellor of the Cincinnati Archdiocese.

CANON 1902

Incidental Question: When Two Decisions Are Concordant (Rota, 29 Nov., 1963) Private.

Facts: Mary, the plaintiff, a member of the Presbyterian religion, on 9 July, 1949, contracted marriage with William, of the same religion, before a non-Catholic minister. Married life

xCf. Canon Law Digest, 1, p. 762, can. 1960, ad I; see also p. 827 in this volume.

ended in August, 1952. On 23 December, 1953, the plaintiff was received into the Catholic Church after being rebaptized as a precautionary measure. On 25 October, 1954, before the Indianapolis Tribunal, she sued for nullity of her marriage because of grave fear inflicted on her and on 25 October, 1956, was rendered a favorable verdict. This sentence was reversed by the higher Tribunal of Cincinnati which admitted the grave fear but denied that, in the instance, the grave fear invalidated the marriage because the marriage was contracted between non-baptized persons inasmuch as since the baptisms of the parties were certainly doubtful, they must be considered in fact or in practice as invalid.

The plaintiff appealed to the Rota and on 20 October, 1960, the Rotal decision again affirmed the validity because it judged that the alleged fear was not proved, and asserted that the parties were subject to the prescriptions of can. 1087. On 23 February, 1963, in order to prepare the way for an appeal, the plaintiff challenged the decision as prejudicial, assuming that the Rotal decision lacked conformity with the Cincinnati decision, even though both affirmed the validity of the marriage.

Law: "With regard to when conformity should be said to be truly present or not, a certain and general rule applicable to every kind of case cannot be laid down since what must really be said would come to a question of fact rather than of law. The decision must come from the quality of the fact and from the circumstances of the individual case" (De Luca: *Theatrum Veritatis et Justitiae,* t. Ill, pars T. *De Judiciis et Judicialibus,* discursus XXXVI, η. 56. Coloniae Agrippinae, 1961, p. 159).

"Those sentences are said to conform," notes Pihring, "when one confirms the other, although it is not necessary that it expressly confirm but it suffices if they are *substantially the same in content* and not at variance regarding the substance or principal quality" *(Jus Canonicum* [Dilingae, 1722], 1. II, tit. 27, sect. 5, n. 115, not. 6; cf. also Barbosa: *Collectanea Doctorum . . . in Jus Pontificium Universum* [Lugduni. 1636], t. IV, tit. XI, η. 12, p. 420; Ferraris: *Bibliotheca Canonica, v'* Sententia [Romae, 1768], t. VII, p. 55, n. 71).

"Moreover, the substance of a sentence must be derived not only from rhe naked words of the dispositive section but also from the substance of the motivating section which, since it leads into the dispositive section, completes, perfects and terminates it.

Wherefore it follows that an adjudication in which two or more sentences should be found concordant, should be derived from both the dispositive section of the sentence and *front the motives of the disposition considered in their substance* since they are the necessary and logical presupposition of the said dispositive section" *(S.R.R. Decis.,* vol. 42, 1950, p. 542, n. 2, decisio diei 5 augusti 1950 *coram Felici).*

Consequently, not every kind of diversity of motives or arguments prevents conformity of sentences but *that diversity which affects the very substance of the motivation* and so "would seem to have entered into the dispositive section of these same sentences in such wise that somehow the *specific basis of the petition (causa petendi)* really turns out to be diverse in the two decisions, even though the action petitioned *(res petita)* is the same" *(S.R.R. Decretum* diei 28 junii, 1960, *coram Brennan)* and, as a result, the sentences are not concordant as far as the principal quality is concerned.

In the case, the sentence of the Cincinnati Tribunal and the Rotal decision are concordant in what pertains to the dispositive section, but the line of argumentation by which they arrive at proclaiming the validity of the marriage is diverse. The appellate judges admit the truth of the alleged fear and on this point of the case concordance is had between the sentences of the Indianapolis and Cincinnati Tribunals. Those same judges, on the other hand, maintain that in the instance the marriage is valid, asserting, erroneously certainly, that the parties, because their baptism is doubtful inasmuch as it was conferred by a Presbyterian minister, must in the practical order be treated as unbaptized and, consequently, as not subject to the prescriptions of canon 1087. It is really only from this section of the sentence that the plaintiff seems to have appealed to our Sacred Tribunal when the Cincinnati defender of the bond refrained from lodging any appeal regarding the alleged and proven grave fear. Nor, as regards this latter point, was there granted a new investigation of the cause.

The argument invoked by the appellate judges for the validity of the marriage is truly proven to have entered into the dispositive section from the fact that the erroneous argument — derived from an obviously neglected prescription of law — prevented conformity of the appellate sentence with the sentence passed in

the first instance of jurisdiction and unjustly deprived the plaintiff of a twofold concordant sentence which would have had the force of a quasi-irrevocable adjudication, unless the defender of the bond would have appealed to the court of third instance. Furthermore, if the reasoning of the appellate judges were true, whereby from dubious baptism they concluded that the parties were not subject to the prescriptions of can. 1087, they should have judged the validity of the marriage in question according to the civil law of the State of Indiana, which they did not do.

The Rotal Fathers, rejecting the appellate judges, correctly proclaimed that the parties, even though dubiously baptized, were subject to the impediment in can. 1087. However, they proceeded further, investigated all the merits of the cause, judged that the alleged grave fear was not proved, and *judging beyond the complaint,* defined that proof of the nullity of the marriage in question was not had.

Wherefore, from the collated sentences, that of the Cincinnati Tribunal of 11 September, 1958, and that of our Sacred Tribunal on 20 October, 1960, it is patent that they are totally non-concordant at least in what pertains to the specific basis of the petition *{ad causam petendi}.*

Decision. Having weighed everything in law and in fact; having looked into the memorial of the plaintiff's counsel of 23 February, 1963; having looked into the opinions of the Rev. Promoter of Justice of 1 April, 1963, and of the Rev. Defender of the Bond of 25 May, 1963, the undersigned Auditors of the Tuma have decreed:

Concordance is lacking between the appellate sentence oj the Cincinnati Tribunal of 11 September, 1958, and the Rotal decision of 20 October, 1960, and consequently the plaintiff has the right to appeal from the Rotal decision of 20 October, 1960, to the next Tuma.

Rome, in the Tribunal of the S. R. Rota, 29 November, 1963.

(Private); Rota, *corain Anne,* 29 Nov., 1963, Prot. N. 7582; copy oi original kindly sent us by the V. Rev. Msgr. Charles P. Koster, Tribunal Secretary of the Archdiocese of Indianapolis.

CANON 1903

New Trial: Admitted for presentation of new evidence. See c. 1119, Rota, 29 Feb., 1960.

CANON 1962

Abbreviated Procedure for Cases of Dissolution of Marriage *In Favoretn Fidei* (S. C. Doct. Fid., 24 Sept., 1966; U. S. Apost Del., 10 Oct., 1966) Private.

The following notice was issued by the U. S. Apostolic Delegate.

Under date of 24 September, 1966 (N. 2220/61m), His Eminence, Cardinal Ottaviani, has informed me of the decision of the Sacred Congregation for the Doctrine of the Faith to seek to reduce the work involved in the preparation of the acts of the process for the dissolution of a marriage *in favorem fidei.* Thus, the testimony of the parties and witnesses (obtained in judicial or extra-judicial fashion by sworn depositions) may be presented in the form of so-called *positiones.* These are to be understood as groupings under various headings, such as: Generalia, Non-Baptism, Marriage and Divorce, Conversion, etc., of the information contained in the answers recorded in the depositions.

It will no longer be necessary for the interrogatories to be fully recopied with the individual questions and answers. Instead, only the information contained in the replies need be submitted in the manner indicated. It is hoped that this will expedite the work of the tribunals and of the Sacred Congregation.

I am also directed to inform you that the Norms of the Instruction of 1934[1] retain their full force. The complete process, prepared in accord with these Norms, with all the documents and information, the observations of the defender of the bond and the *votum* of the Ordinary, must be submitted.

The Judge Instructor of the process will be particularly responsible to make sure that all the information contained in the replies to the questions of the interrogatories is clearly presented in the *positiones.*

(Private); S.C. Doct. Fid., 24 Sept., 1966, Prot. No. 2220/61m; U. S. Apost. Del., 10 Oct., 1966, Prot. No. 3718/66; copy kindly sent us by the

» The original of this document explicitly prohibits publication of the document.

Rev. Paul M. Boyle, C.P., Executive Coordinator of the Canon Law Society of America.

Competency of S. C. for the Doctrine of the Faith in Marriage Cases. See c. 247; U. S. Apost. Del., 20 Jan., 1967.

Competency to Grant Sanation Where Plaintiff Lacked Capacity to Enter Suit. See c. 1892; Sec. St., 31 Oct., 1966; Rota, 4 Nov., 1966.

Non-Catholic as Plaintiff. See c. 1646; S. C. Doct. Fid., 12 Feb., 1966.

CANON 1963

Rules of Procedure for Non-consummation Marriage Cases: Interpretation (S. C. Sacr., 31 Aug., 1966) Private.

Question. May I ask for your advice concerning the manner of procedure in certain non-consummation cases? It has been our understanding that rule 11 in the *Regulae servandae*[1] of 7 May, 1923, did not include contraceptive intercourse where devices were used to eject or sterilize the semen, or where any type of covering prevented semination.

We have recently been informed by Rev. Luigi Civisca, S.J., Professor of Canon Law at Sophia University, Tokyo, and author of *The Dissolution oj the Marriage Bond,* also acting as an advocate for a petitioner in this Tribunal, that your Congregation accepts and grants dissolution in many such cases where true canonical consummation has not been verified due to contraceptive devices which prevent semination.

1. Are non-consummation dissolutions ever granted where semination was prevented due to the exclusive use of a contraceptive male covering, or a contraceptive device inserted in the woman?

2. If such favors are granted, are we to follow the directions of rule 11 in submitting such cases? Would you supply any other

[1] Reported in Canon Law Digest, 1, p. 764. Rule 11, § 1 reads: "If it appear with certainty, either from the petition itself or from the proceedings after they have begun, or from other investigations made according to n. Q, that the parties avoided entirely the consummation of the marriage through the detestable practice of onanism, then the petitioner, or both parties in case both have joined in seekine the dispensation, are to be informed that the case cannot be begun or allowed to proceed."

directives concerning the proofs required by the Sacred Congregation in presenting such cases?

Reply: After diligently considering Your Excellency's letter of 1 July, 1966, in which you proposed some questions regarding the interpretation of n. 11 of the "Rules To Be Observed in Drawing Up the Processes in Cases of Sacramental. Non-consummated Marriage," this S. Congregation believes the reply should be:

A dispensation of marriage is usually not granted when the spouses have had mutual marital relations by onanistic or condomistic intercourse. The reason is that once penetration is admitted, it is almost impossible to prove that at least a partial emission of semen did not enter into the woman's vagina. Nevertheless, it will be the task of the same S. Congregation to consider a case if it shall have been certainly proved that ejaculation on the part of the man was impossible because of an infirmity attested to by experts.

(Private); S. C. Sacr., 31 Aug., 1066, Prot. N. 1581/66; copies of the documents kindly supplied by the Rev. John T. Catoir. *Vice-officialis* of the Diocese of Paterson.

Non-Consummation Cases: No medical evidence. See c. 1119; S. C. Doct. Fid., 23 April, 1966; S. C. Sacr., 23 Mar., 1966; 5 Mav, 1966; 11 May, 1966.

Pontifical Commission to Adjudicate Certain Cases Formerly Sent to the Holy Office. See c. 247; U. S. Apost. Del., 20 Jan., 1967.

CANON 1964

Special Delegation to Process Marriage Case (S. C. Sacr., 10 Feb., 1966) Private.

Circumstances: A Catholic Cuban woman, a refugee, living in the Archdiocese of Cincinnati, requested an annulment of her marriage on the grounds of impotency. The marriage had taken place in Cuba and the defendant is living in another diocese. Since the Cincinnati Tribunal had no competency in the case, the request was referred to the diocese in which the defendant is living but that diocese replied that it was in no position to process the case. Realizing the predicament of the woman, the

Cincinnati Archdiocese wrote the S. C. of the Sacraments for delegation to process the case.

Reply: In connection with Your Excellency's letter of 10 December of last year which was sent us through the Apostolic Delegate and in which you requested that the suit for nullity of the marriage S-F be processed, in the first instance, by your tribunal, I have the honor of informing you that this Sacred Congregation, in its session of the 9th of the current month, has granted the favor sought.

However, Your Excellency should not fail to see to it that if, at the appropriate time, a sentence should be passed, *express* mention, in accord with the requirements of law, should be made of the concession of this favor.

(Private); S. C. Sacr., 10 Feb., 1966, Prot. No. 135/66 Vg; circumstances and reply kindly sent us by the Rev. Robert A. Amann, Asst. Chancellor of the Cincinnati Archdiocese.

CANON 1975

Proof of Nonconsummation, despite birth of child. See c. 1119, Rota, 29 Feb., 1960.

CANON 1976

Nonconsummation Proved without physical inspection. See c. 1119, Rota, 29 Feb., 1960.

CANON 1990

Lack of Moral Certitude in Summary Process (Holy Office, 3 July, 1961) Private.

Fictitious names are used in the following case.

Case. Titius, Catholic, baptized in the Church of St. Peter in N., 3 May, 1908, presently residing in the city of M., in the Diocese of X., married Rebecca, a Jewess, before the Reverend N„ in the Church of St. John the Evangelist at N. in the Archdiocese of Y., 30 April, 1930. A dispensation from the impediment of disparity of worship was first obtained from the Bishop of Z., who was the Ordinary of the groom.

Three children were born of this union. The marriage, however, proved unhappy and ended in divorce, 25 June, 1947.

Subsequently, Titius attempted marriage with a Catholic woman, Titia, 21 January, 1950, in N. In order to have this union validated in the Catholic Church, Titius now requests that his marriage to Rebecca be declared invalid by reason of the impediment of disparity of worship.

That Rebecca at the time of her marriage was, as she still is, a Jewess is amply proved by her own sworn statement and by the depositions of qualified witnesses. It is also evidenced in the application for and the grant of the dispensation.

That the marriage took place with a dispensation from the impediment of disparity of worship granted by the Bishop of Z. is clear from the record to be found in the archives of the Archdiocese of Y.

There is, however, no indication on the record that the Bishop of Z. in granting the dispensation, 29 April, 1930, invoked either Canon 81, Canon 1043, or Canon 1045.

On the other hand, the application for dispensation indicates that there may have been reason for invoking either Canon 81 or Canon 1045 since the couple is said to have made all arrangements for the wedding and were determined to marry, thus creating the danger of marriage outside the Church should the dispensation not be granted. This couple actually did contract marriage the day following the grant of the dispensation.

Since the impediment of disparity of worship seems to be clearly proved and since there seems to be doubt concerning the validity of the dispensation granted, I am referring the case to the Supreme Sacred Congregation of the Holy Office for such disposition of the case as the Supreme Sacred Congregation may deem proper.

Reply. This Supreme S. Congregation, having carefully studied the acts of the process for nullity of the marriage of Titius, has decreed as follows:

In the case proof is not had of nullity of the marriage on the heading of the impediment of disparity of worship. However, let the Ordinary investigate whether in the case there are serious reasons for a dissolution of the marriage in favor of the faith and, if there are, let the Defender of the Bond write out his animadversions and let the Ordinary manifest his own opinion of the merits of the case, especially concerning the culpability

of the petitioner with regard to the Catholic education of the children.

(Private); Holy Office, 3 July, 1961; reported on pp. 214-215 of an article, "The 1990 Process: Incidental Considerations," by William A. Genuario in *The Jurist,* 24 (1964)–192–22S. On 5 February, 1962, the Holy Office issued a *documentum libertatis* after the above case was presented *in favorem fidei.* Msgr. Genuario kindly approved the present publication of the case.

Nonage Marriage Declared Null Without Formal Process. Sec c. 1067; Holy Office, 7 May, 1965.

CANON 2054

Record of Process of Beatification and Canonization: Permitted to be withdrawn from custody of S. C. Rit. and copied by "Rank-Xerox" process under strict supervision. S. C. Rit., 28 Nov., 1964. *Acta O.F.M.,* 94 (1965)-!14; *Commentarium pro Religiosis,* 44 (1965)–205.

CANON 2055

Record of Process Withdrawn for Copying. See c. 2054, ref., S. C. Rit., 28 Nov., 1964.

CANON 2063

Record of Process Withdrawn for Copying. See c. 2054, ref., S. C. Rit., 28 Nov., 1964.

CANON 2097

Record of Process Withdrawn for Copying. See c. 2054, ref., S. C. Rit., 28 Nov., 1964.

CANON 2147

Pastor: Removal, transfer, resignation. See c. 222, *Motu proprio,* 6 Aug., 1966; AAS 58-757, I, 20.

Removal of Pastors: Procedure to be simplified. See c. 222, Decree on Pastoral Office of Bishops, n. 31.

CANON 2157

Pastor: Removal, transfer, resignation. See c. 222, *Motu proprio,* 6 Aug., 1966; AAS 58-757, I, 20.

Removal of Pastors: Procedure to be simplified. See c. 222, Decree on Pastoral Office of Bishops, n. 31.

CANON 2162

Transfer of Pastors: Procedure to be simplified. See c. 222, Decree on Pastoral Office of Bishops, n. 31.

BOOK V

CRIMES AND PENALTIES

Canons 2195 - 2414

BOOK V

CRIMES AND PENALTIES

Canons 2195 - 2414

CANON 2253

Faculty to Absolve From Censures. See c. 329; Paul VI, 30 Nov., 1963, n. 14.

CANON 2314

Faculty to Absolve from Censures for Apostasy, Heresy, Schism (S. Paen., 7 Mar., 1965) Private.

Petition: Through the rescript N. 358/62 of 11 April, 1962, from the Sacred Apostolic Penitentiary, the faculty given to the Ordinaries of Germany at the request of the Ordinary of Cologne was extended for a three-year period. By it they could delegate duly approved confessors in their own diocese to absolve their penitents, in both fora, from the censures incurred because of the sins of apostasy, heresy, and schism.

Since the faculty will soon expire and since the reasons for the previous grant still exist, the Ordinary of Cologne, humbly prostrate at the feet of Your Holiness, earnestly implores that the said faculty be extended for the Ordinaries of Germany.

Reply: By special and express Apostolic authorization and through the graciousness and approbation of His Holiness, Pope Paul VI, the Sacred Penitentiary grants the favor whereby the Bishops of Germany can delegate all confessors who are duly approved in their diocese so they can absolve their penitents, in both fora, even if the penitents may be subjects of another

civil jurisdiction, from censures incurred because of the sins of apostasy, heresy, or schism. The juridically required abjuration is omitted but at least a secret abjuration before the confessor must precede absolution. The requirements of law must be enjoined. The confessors must, however, strongly, yet gently, admonish the penitents to retract their apostasy, in so far as they can do so without serious inconvenience, so as to remove scandal if perchance their apostasy was declared before a civil magistrate.

The present rescript is valid for five years.

Given at Rome, from the S. Penitentiary, 7 March, 1965.

(Private); S. Pacn., 7 Mar., 1965, Prot. No. 232/65; reported in *Archiv fiir Katholisches Kirchenrecht,* 134 (1965)–131.

Extraordinary Post-Conciliar Jubilee: Faculty of confessor to absolve from profession of heresy, schism, atheism. See c. 222, AAS 57-946.

Persons Born and Baptized in Separated Churches: Not subject to this canon. See c. 1258; AAS 59-574, n. 19.

CANON 2318

Abrogated. See c. 1399; AAS 58-1186.

Extraordinary Post-Conciliar Jubilee: Faculty of confessors to absolve from excommunication for reading etc. of specially prohibited books. See c. 222, AAS 57-946.

CANON 2319

Marriage: Before non-Catholic minister: excommunication abrogated with retroactive effect. See c. 1061 ; AAS 58-235, VII.

CANON 2335

Extraordinary Post-Conciliar Jubilee: Faculty of confessors to absolve from excommunication for joining Masonic society. See c. 222, AAS 57-946

Marriage by Catholic Mason. See c. 1065; S. C. Doct. Fid., 8 Apr., 1067.

fRef-J

CANON 2336

------ Vindicative of common law; when reserved to Holy See See ' " 329, IX, Id; AAS 58-469.

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1895	15	Mar.	Induit, S. C. Prop. Fid.		1.592
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1923	6	Aug.	Decision, Rota	*RD* 15-223	II. 318
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1924	1	Feb.	Replies, S. C. Rit.	16-102	I. 43
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1924	9	Feb.	Resolution, S. C. Cone.	16-94	I. 54
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1924	23	Apr.	Letter, S. C. Cone.	16-287	1.633,635
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1924	27	Apr.	*Motu proprio,* Pius XI	16-180	I. 670
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1924	26	July	Letter, S. C. Sacr.	16-370	1.385
1924	30	July	Decision, Signatura	.....	11.312
1924	31	July	Instruction, S. Paen.	16-337	1.424
1924	4	Aug.	Decision, Rota	*RD* 16-303	11.329
1924	13	Aug.	Decision, Rota	*RD* 16-365	П. 320
1924	29	Oct.	Decision, Rota	*RD* 16-371	11.300
1924	5	Nov.	Reply, Holy Office	.....	I. 553
1924	7	Nov.	Resolution, S. C. Prop. Fid.	.....	II. 107
1924	12	Nov.	Decision, Rota	*RD* 16-391	II. 296
1924	25	Nov.	Decision, Rota	*RD* 16-404	11.328
1924	28	Nov.	Reply, S. C. Rel.	.....	1.486
1924	2	Dec.	Decision, Rota	*RD* 16-415	11.326
1925	..	....	Declaration, Holy Office	17-137	1.687
1925	13	Jan.	Decision, Rota	*RD* 17-30	11.322
1925	26	Jan.	Declaration, S. C. Eccl. Or.	.....	III. 374
1925	4	Feb.	Decision, Rota	*RD* 17-39	11.344
1925	5	Feb.	Reply, S. C. Rel.	17-107	1.309
1925	7	Feb.	Decision, Rota	*RD* 17—47	11.304
1925	11	Feb.	Decision, Rota	*RD* 17-61	11.313
1925	11	Feb.	Decision, Rota	*RD* 17-67	11.323
1925	13	Feb.	Decision, Rota	*RD* 17-74	11.312
1925	14	Feb.	Resolution, S. C. Cone.	18-48	1.91
1925	21	Feb.	Decision, Rota	*RD* 17-101	11.339
1925	21	Feb.	Decision, Rota	*RD* 17-108	11.302
1925	28	Feb.	Decree, S. C. Rit.	17-159	1.380
1925	4	Mar.	Reply, S. C. Sacr.	.....	III. 454
1925	5	Mar.	Reply, S. Paen.	.....	I. 859
1925	6	Mar.	Decree, S. C. Consist.	18-42	I. 245
1925	7	Mar.	Letter, S. C. Consist.	.....	II. 75
1925	9	Mar.	Reply, S. Paen.	17-327	II. 225
1925	10	Mar.	Decision, Rota	*RD* 17-124	11.287
1925	23	Mar.	Decision, Rota	*RD* 17-129	11.311
1925	24	Mar.	Decision, Rota	*RD* 17-141	IT. 328
1925	30	Mar.	Reply, S. C. Rel.	.....	HI. 293

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1925	1	Apr.	Decision, Rota	*RD* 17-149	II. 329
1925	4	Apr.	Resolution, S. C. Cone.	18-132	I. 856
1925	8	Apr.	Reply, Holy Office		I. 763
1925	25	Apr.	Decision, Rota	*RD* 17-155	II. 323
1925	28	Apr.	Decision, Rota	*RD* 17-165	II. 323
1925	28	Apr.	Decision, Rota	*RD* 17-173	II. 323
1925	1	May	Reply, Holy Office		I. 543
1925	2	May	Decision, Rota	*RD* 17-182	II. 323
1925	8	May	S. C. Rit.		II. 10
1925	8	May	Reply, S. C. Rit.	17-265	I. 43, 380
1925	16	May	Resolution, S. C. Cone.	18-10	I. 77
1925	25	May	Decision, Rota	*RD* 17-195	II. 277
1925	8	June	Reply, S. C. Rit.		II. 10
1925	13	June	Resolution, S. C. Cone.	17-538	I. 228
1925	13	June	Resolution, S. C. Cone.	18-132	I. 856
1925	21	June	Reply, Holy Office		I. 493
1925	21	June	Reply, S. C. Sacr.		II. 244, 245
1925	26	June	Decision, Rota	*RD* 17-262	II. 318
1925	30	June	Decision, Rota	*RD* 17-268	II. 312
1925	4	July	Replies, S. C. Sacr.	17-452	I. 346
1925	5	July	Notification, Pius XI	18-89	I. 168
1925	10	July	Decree, S. C. Cone.	17-381	I. 217
1925	11	July	Resolution, S. C. Cone.	18-48	I. 91
1925	15	July	Reply, Holy Office		II. 193
1925	22	July	Replies, S. C. Sacr.	17-452	I. 346
1925	27	July	Decision, Rota	*RD* 17-293	II. 301
1925	4	Aug.	Decision, Rota	*RD* 17-329	II. 295
1925	5	Aug.	Brief, Pius XI		II. 409
1925	17	Oct.	Formula, S. C. Rit.	17-541	I. 47
1925	6	Nov.	Reply, S. C. Rit.	18-21	I. 44, 46, 374, 381, 382, 455, 545
1925	10	Nov.	Replies, Code Com.	17-582	I. 59, 88, 225, 244, 252, 298, 415, 542, 546, 583
1925	13	Nov.	Decision, Rota	*RD* 17-372	II. 314
1925	14	Nov.	Decision, Rota	*RD* 17-384	II. 329
1925	14	Nov.	Reply, S. C. Cone.		I. 234
1925	24	Nov.	Declaration, S. C. Rel.	18-14	I. 269
1925	25	Nov.	Instruction. S. C. Sacr.	18-13	I. 338
1925	30	Nov.	Decision, Rota	*RD* 17-390	II. 295
1925	5	Dec.	Decision, Rota	*RD* 17-396	II. 341
1925	9	Dec.	Reply, S. C. Rit.	18-58	I. 374
1925	11	Dec.	Replies, S. C. Rit.	18-57	I. 44, 381
1925	12	Dec.	Decision, Rota	*RD* 17-400	II. 323
1925	14	Dec.	Allocution, Pius XI	17-641	IT. 74
1925	14	Dec.	Allocution. Pius XI	17-633	I. 609
1925	18	Dec.	Decision, Rota	*RD* 17-418	II. 289
1925	21	Dec.	Reply, S. Paen.	18-24	I. 422
1925	22	Dec.	Decision, Rota	*RD* 17-423	IT. 288, 289, 330
1925	25	Dec.	Bull, Pius XI	17-611	I. 411, 486, 555, 854, 858

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1926	5	Jan.	Rescript, S. C. Cone.			I 5Q2
1926	20	Jan.	Decision, Rota	*RD*	18-4	II. 296
1926	30	Jan.	Decision, Rota	*RD*	18-17	IL 335
1926	2	Feb.	Letter, Pius XI		18-175	I. 127
1926	3	Feb.	Reply. S. C. Cone.			V 522
1926	10	Feb.	Decision, Rota	*RD*	18-22	II. 312
1926	13	Feb.	Decision, Rota	*RD*	18-33	II. 305
1926	20	Feb.	Decree, S. C. Rit.		18-93	I. 46, 382
1926	23	Feb.	Reply, Holy Office			IV. 423
1926	28	Feb.	Encyclical, Pius XI		18-65	I. 462, 656
1926	1	Mar.	Decision, Rota	*RD*	18-58	II. 287
1926	17	Mar.	Decision, Rota	*RD*	18-68	II. 297
1926	20	Mar.	Decision, Rota	*RD*	18-76	IL 289, 340
1926	24	Mar.	Decision, Rota	*RD*	18-93	II. 324
1926	29	Mar.	Induit, S. C. Sacr.			I. 409
1926	30	Mar.	Decision, Rota	*RD*	18-103	II. 312
1926	4	Apr.	*Statuta,* S. C. Prop. Fid.		18-231	II. 109
1926	7	Apr.	Decision, Rota	*RD*	18-108	II. 300
1926	9	Apr.	Decision, Rota	*RD*	18-116	II. 323
1926	14	Apr.	Rescript, S. C. Rit.		19-23	II. 234
1926	16	Apr	Reply. Holy Office			II. 342
1926	17	Apr.	Decision, Rota	*RD*	18-133	II. 288, 339
1926	19	Apr.	Decision, Rota	*RD*	18-140	II. 319
1926	23	Apr.	Communication, Holy Office		18-186	I. 158
1926	23	Apr.	Decree, S. C. Rit.		18-291	I. 47
1926	28	Apr.	Decree, S. C. Rit.		18-319	I. 47
1926	3	May	Reply, S. C. Sacr.		18-388	I. 386
1926	14	May	Reply, S. C. Rit.		18-320	I. 44
1926	27	May	Decision, Rota	*RD*	18-183	II. 300
1926	5	June	Decision, Rota	*RD*	18-190	II. 312
1926	19	June	Instruction, Holy Office		18-282	I. 564
1926	25	June	Decision, Rota	*RD*	18-213	II. 300
1926	1	July	Letter, S. C. Cone.		18-312	I. 138
1926	7	July	Decision, Rota	*RD*	18-221	II. 309
1926	13	July	Decision, Rota	*RD*	18-228	II. 330
1926	15	July	Letter, S. C. Rel.			III. 216
1926	16	July	Reply, S. C. Prop. Fid.			I. 552
1926	25	July	Replies, Code Com.		18-393	I. 236, 278, 693. 699, 854
1926	26	July	Decision, Rota	*RD*	18-252	II. 305
1926	26	July	Decision, Signatura			II 311
1926	28	Julv	Decision, Rota	*RD*	18-262	II. 305
1926	29	July	Decision, Rota	*RD*	18-287	II. 335
1926	29	July	Decision, Rota		18-501	I. 523
1926	4	Aug.	Decision, Rota	*RD*	18-292	II. 324
1926	10	Aug.	Decision, Rota	*RD*	18-318	II. 43
1926	11	Aug.	Decision, Rota	*RD*	18-325	II. 330
1926	12	Aug.	Decision, Rota	*RD*	18-331	II. 312
1926	17	Aug.	Decision, Rota	*RD*	18-353	II. 313
1926	8	Sept.	Letter, S. C. Sem.		18-453	I. 664
1926	9	Nov.	Reply, S. C. Rel.		18-490	I. 324
1926	10	Nov.	Reply, S. Paen.		18-500	I. 209
1926	4	Dec.	Decision, Rota	*RD*	18-381	II. 330

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1926	17	Dee.	Decision, Rota	*RD* 18-403	II. 324
1926	18	Dec.	Decision, Rota	*RD* IS—416	II. 319
1926	20	Dec.	Allocution, Pius XI	18-513	I. 610
1926	29	Dec.	Decree, Holy Office	18-529	I. 611
1927	· ·	· · · ·	Reply, S. Paen.		III. 405
1927	24	Jan.	Chirograph, Pius XI	19-41	I. 616
1927	24	Jan.	Letter, Pius XI	19-45	II. 74
1927	26	Jan.	Decree, S. C. Rit.	19-109	I. 45
1927	31	Ian.	Rescript. S. C. Cone.		II. 184
1927	5	Feb.	Decision, Rota	*RD* 19-20	IL 319
1927	7	Feb.	Decision, Rota	*RD* 19-25	II. 288, 339
1927	9	Feb.	Decision, Rota	*RD* 19-42	II. 307
1927	18	Feb.	Decree, S. C. Rit.	19-155	I. 47
1927	22	Feb.	Decision, Rota	*RD* 19-49	II. 316
1927	22	Feb.	Decree, S. C. Cone.	19-99	I. 116
1927	24	Feb.	Declaration, Pius XI	19-185	I. 692
1927	26	Feb.	Declaration, Bibl. Com.	19-160	I. 672
1927	6	Mar.	Replies, Code Com.	19-161	I. 334, 582, 602
1927	8	Mar.	Reply, S. Paen.	19-157	I. 612
1927	9	Mar.	Decree, S. C. Rit.	19-156	I. 47, 381
1927	14	Mar.	Decision, Rota	*RD* 19-70	II. 278
1927	15	Mar.	Reply, S. C. Cone.	19-138	I. 128
1927	21	Mar.	Decision, Rota	*RD* 19-82	II. 289
1927	22	Mar.	Faculties, S. C. Sacr.		II. 28
1927	25	Mar.	Reply, S. C. Rel.	19-138	I. 266
1927	7	Apr.	Reply, S. C. Prop. Fid.		II. 452
1927	11	Apr.	Decision, Rota	19-217	I. 536
1927	22	Apr.	Induit, S. C. Sacr.		II. 189
J027	23	Apr.	Resolution, S. C. Cone.	20-362	I. 724
1927	27	Apr.	Reply, S. C. Rit.	19-192	I. 375
1927	29	Apr.	Declaration, S. C. Sem.	19-194	I. 673
1927	2	May	Resolution, S. C. Cone.	19-415	I. 231
1927	3	May	Instruction, Holy Office	19-186	I. 687
1927	4	May	Decision, Rota	*RD* 19-161	II. 308
1927	10	May	Decision, Rota	*RD* 19-169	II. 306
1927	14	May	Decision, Rota	*RD* 19-177	II. 324
1927	21	May	Resolution, S. C. Cone.	21-116	I. 734
1927	1	June	Decision, Rota	*RD* 19-192	II. 301
1927	4	June	Decision, Rota	*RD* 19-199	II. 324
1927	7	June	Decision, Rota	*RD* 19-208	II. 308
1927	8	June	Decision, Rota	*RD* 19-214	II. 305
1927	28	June	Decision, Rota	*RD* 19-237	II. 2SS, 340
1927	8	July	Reply, Holy Office	19-278	I. 620
1927	9	July	Decision, Rota	*RD* 19-299	II. 309
1927	16	July	Decision, Rota	*RD* 19-304	II. 316
1927	16	July	Resolution, S. C. Cone.	20-389	I. 695
1927	23	July	Decision, Rota	*RD* 19-315	II. 324
1927	27	July	Reply, S. C. Rit.	19-289	I. 379
1927	30	July	Decision, Rota	*RD* 19-351	II. 298
1927	2	Aug.	Letter, Pius XI		III. 265
1927	4	Aug.	Decision, Rota	*RD* 19-363	II. 287
1927	10	Aug.	Decision, Rota	*RD* 19-404	II. 324
1927	11	Aug.	Decision, Rota	*RD* 19-426	II. 321

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1927	4	Sept.	Ap. Letter, Pius XI	20-376	**I.** 450
1927	24	Sept.	*Motu proprio,* Pius XI	19-329	I. 170
1927	27	Sept.	Concordat	19-432	II. 74
1927	18	Oct.	Faculties, S. C. Cone.		II. 28
1927	21	Oct.	Reply, S. C. Rit.	19-381	I. 561
1927	4	Nov.	*Motu proprio,* Pius XI	19-393	I. 170
1927	12	Nov.	Resolution, S. C. Cone.	20-84	I. 245, 255
1927	12	Nov.	Resolution, S. C. Cone.	20-142	I. 578
1927	22	Nov.	Decision, Rota	*RD* 19-453	II. 76
1927	24	Nov.	Reply, Code Com.		II. 215
1927	2	Dec.	Decision, Rota	*RD* 19-473	II. 331
1927	5	Dec.	Decision, Rota	*RD* 19-497	II. 309
1927	10	Dec.	Decision, Rota	*RD* 19-517	II. 331
1927	10	Dec.	Resolution, S. C. Cone.	20-261	**I.** 566
1927	21	Dec.	Decision, Rota	*RD* 19-535	II. 317
1927	22	Dec.	Faculties, S. C. Sacr.		II. 27
1927	23	Dec.	Faculties, S. C. Cone.		II. 26
1927	27	Dec.	Letter, Ap. Del. U. S.		II. 29
1927	28	Dec.	Replies, Code Com.	20-61	I. 296, 412, 503, 541
1927	30	Dec.	Decision, Rota	*RD* 19-540	II. 324
1927	30	Dec.	Decision, Rota	*RD* 19-548	II. 316
1928	2	Jan.	Faculties, S. Paen.		II. 29
1928	• ·	• · · ·	Reply, S. Paen.		III. 391
1928	5	Jan.	Reply, S. C. Sacr.	20-79	I. 391
1928	5	Jan.	Reply, S. C. Sacr.	20-81	I. 404
1928	6	Jan.	Encyclical, Pius XI	20-5	I. 621
1928	11	Jan.	Reply, S. C. Rit.	20-90	I. 377
1928	13	Jan.	Decision, Rota	*RD* 20-1	II. 554
1928	20	Jan.	Decision, Rota	*RD* 20-13	II. 465, 466
1928	25	Jan.	Decision, Rota	*RD* 20-27	TT. 293
1928	25	Jan.	Letter, S. C. Sem.		I. 647
1928	27	Jan.	Reply, Holy Office	20-75	I. 762
1928	30	Jan.	Decision, Rota	*RD* 20-34	IL 325
1928	9	Feb.	Reply, S. C. Cone.		I. 145
1928	11	Feb.	Decision, Rota	*RD* 20-48	IL 309
1928	16	Feb.	Decision. Rota	*RD* 20-57	IT. 300
1928	10	Mar.	Reply, Code Com.	20-120	I. 542, 546
1928	14	Mar.	Decision. Rota	*RD* 20-88	II. 319
1928	16	Mar.	Reply, Holy Office	20-103	I. 617
1928	17	Mar.	Reply. Holy Office		I. 595
1928	25	Mar.	Decree, Holy Office	20-103	I. 616
1928	2	Apr.	.*Ifonitum,* S. C. Eccl. Or.	20-107	I. 6
1928	4	Apr.	Decision. Rota	*RD* 20-106	II. 301
1928	11	Apr.	Declaration. S. C. Sem.	20-157	I. 67.3
1928	16	Apr.	Decision, Rota	*RD* 20-113	IT. 313
1928	16	Apr.	Decision, Rota	*RD* 20-121	TT. 295
1928	16	Apr.	Decision. Rota	*RD* 20-127	IT. 555
1928	22	Apr.	Decision. Rota	*RD* 20-141	IT. .319
1928	2	May	Replv. S. C. Sacr.	20-359	I. 489
1928	9	May	Decision. Rota	*RD 20-177*	TT. 312
1928	15	May	Decision. Rota	*RD* 20-188	TT. .316
1928	26	May	Declaration. S. C. Eccl. Or.	20-195	I. 685

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1928	5	June	Decision, Rota	*RD* 20-230	II. 312
1928	8	June	Reply, S. C. Rit.	20-237	I. 378
1928	12	June	Decision, Rota	*RD* 20-238	II. 329
1928	15	June	Reply, S. C. Cone.		II 206
1928	23	June	Decision, Rota	*RD* 20-257	II. 301
1928	24	June	Letter, Pius XI	20-432	II. 74
1928	30	June	Decision, Rota	*RD 2(3-267*	II. 344
1928	6	July	Reply, Holy Office		III. 468
1928	7	July	Decision, Rota	*RD* 20-281	II. 323
1928	9	July	Declaration, S. C. Prop. Fid.	20-266	I. 164
1928	13	July	Decree, Com. Russia	20-260	I. 259
1928	28	July	Decision, Rota	*RD* 20-317	IL 300
1928	30	July	Decision, Rota	*RD* 20-323	II. 548
1928	31	July	Decision, Rota	*RD* 20-333	II. 313
1928	31	July	Decision, Rota	*RD* 20-342	II. 306
1928	1	Aug.	Decision, Rota	*RD* 20-347	II. 554
1928	7	Aug.	Decision, Rota	*RD 20-377*	II. 321
1928	10	Aug.	Decision, Rota	*RD* 20-391	II. 306
1928	11	Aug.	Decision, Rota	*RD* 20-402	II. 293, 543
1928	15	Aug.	Letter, Pius XI	20-296	III. 268
1928	15	Aug.	Ap. Letter, Pius XI	21-12	I. 589
1928	8	Sept.	Encyclical, Pius XI	20-277	III. 34
1928	8	Sept.	Letter, Pius XI		III. 265
1928	17	Sept.	Letter, Pius XI	20-365	II. 74
1928	30	Sept.	*Motu proprio,* Pius XI	20-309	I. 672
1928	15	Oct.	Decision, Rota	*RD* 20-414	II. 324
1928	19	Oct.	Decision, Rota	*RD* 20-426	II. 289
1928	25	Oct.	Decision, Rota	*RD* 20-442	II. 303
1928	13	Nov.	Letter, Pius XI	20-386	III. 268
1928	13	Nov.	Letter, Pius XI	20-384	I. 128
1928	16	Nov.	Decree, S. Paen.	20-398	I. 614
1928	24	Nov.	Decision, Rota	*RD* 20-450	II. 331
1928	28	Nov.	Decision, Rota	*RD* 20-466	II. 312
1928	30	Nov.	Decision, Rota	*RD* 20-473	II. 331
1928	1	Dec.	Decision, Rota	*RD* 20-482	II. 320
1928	6	Dec.	Decree, S. C. Eccl. Or.	20-416	I. 85
1928	18	Dec.	Decision, Rota	*RD* 20-492	II. 439
1928	19	Dec.	Replies, S. C. Orient.		I. 4
1928	20	Dec.	Ap. Letter, Pius XI	21-33	I. 598
1929	6	Jan.	Constitution, Pius XI	21-5	I. 432
1929	[illegible]		Notification, Pius XI	21-669	I. 16
1929	9	Jan.	Instruction, S. C. Rit.	21-43	I. 407
1929	12	Jan.	*Monitum,* Com. Russia	21-94	I. 849
1929	29	Jan.	Decree, S. C. Rit.	21-44	I. 382
1929	29	Jan.	Decree, S. C. Rit.	21-77	I. 47, 382
1929	31	Jan.	Decision, Rota	21-75	IV. 342
1929	4	Feb.	Reply, S. C. Consist.	21-42	I. 617
1929	11	Feb.	Concordat	21-103	II. 74
1929	18	Feb.	Decision, Rota	22-179	II. 324
1929	18	Feb.	Instr., S. C. Prop. Fid.		III. 638
1929	22	Feb.	Decree, S. Paen.	21-200	I. 420
1929	1	Mar.	Decree, S. C. Eccl. Or.	21-152	I. 6
1929	6	Mar.	Decision, Rota	22-180	II. 306

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1929	8	Mar.	Reply, S. Paen.	21-168	I. 433
1929	11	Mar.	Faculties, S. C. Rit.		II 29
1929	12	Mar.	Replies, Code Com.	21-170	I. 209, 516, 584, 754, 807
1929	23	Mar.	Reply, S. C. Rit.		III. 346
1929	26	Mar.	Instruction, S. C. Sacr.	21-631	I. 353
1929	27	Mar.	Instruction, S. C. Sacr.	21^490	I. 792
1929	27	Apr.	Reply, S. C. Rit.	21-321	I. 251
1929	30	Apr	Induit, Pius XI	21-554	II. 42, 186
1929	5	June	Resolution, S. C. Cone.	21-494	I. 161
1929	15	June	Reply, S. C. Rit.		I. 375
1929	20	June	Decree, S. C. Cone.	21-384	II. 177, 439, 443
1929	23	June	Declaration, S. Paen.	21-510	I. 434
1929	24	June	*Motu proprio,* Pius XI	21-342	I. 165; II. 109; III. 254
1929	24	June	*Motu proprio,* Pius XI	21-345	III. 254
1929	6	July	Reply, S. C. Rit.	21-509	I. 380
1929	20	July	Decision, Rota	22-184	II. 297
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1936	11	Mar.	Reply, S. C. Rit.	28-240	II. 201
1936	12	Mar.	Decree, S. C. Sem.	28–417	II. 376
1936	15	Mar.	Letter, Sec. State, Pacelli		II. 65; III. 216
1936	16	Mar.	Reply, Code Com.	28-178	II. 216
1936	20	Mar.	Decree, S. Paen.	28-176	II. 236
1936	25	Mar.	Decree, S. C. Rit.	28-169	II. 10
1936	25	Mar.	Letter, Pius XI	28-230	II. 118
1936	25	Mar.	Decree, S. Paen.	28-308	II. 234
1936	18	Apr.	Decree, S. Paen.	28-242	II. 579
1936	13	May	Induit, S. C. Sacr.		II. 239
1936	15	May	Replies. Code Com.	28-210	IT. 167, 248
1936	15	May	Reply, Holy Office		II. 290
1936	26	May	Instr , S. C. Prop. Fid.	28-106	II. 368
1936	4	June	Induit, S. C. Sacr.		V. 494
1936	15	June	Secret Consistory	28-217	II. 95
1936	29	June	Encyclical, Pius XI	28-249	II. 74
1936	4	July	Rescript, S. C. Rit.		II. 54
1936	4-10	Julv	Resolution. S. C. Cone.	29–474	IT. 352
1936	10	Tulv	Rescript. S. C. Rit.		II. 201
1936	11	July	Ap Const.. Pius XI	28–485	IT. 78
1936	13	July	Special Commission	28-306	II. 155

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1936	27	July	Letter, Pius XI	28-468	II. 67
1936	6	Aug.	Ap. Letter, Pius XI	29-50	II. 55, 204
1936	15	Aug.	Instr., S. C. Sacr.	28-313	II. 471
1936	24	Aug.	Letter, S. C. Consist.		II. 100
1936	14	Sept.	Address, Pius XI	28-373	II. 73
1936	19	Sept.	Decree, S. C. Rel.	28-405	II. 156
1936	28	Oct.	*Motu proprio*, Pius XI	28-421	II. 434
1936	13	Nov.	Letter, Ap. Del. U. S.		II. 161
1936	25	Nov.	Rescript, S. C. Rit.		II. 201
1936	12	Dec.	Rescript, S. C. Prop. Fid.		II. 419
1936	12	Dec.	Pastoral, Bishops, Mexico		II. 339
1936	13	Dec.	Pastoral, Bishops, England		II. 73
1936	14	Dec.	Letter, S. C. Prop. Fid.		II. 347
1936	15	Dec.	Induit, S. C. Sacr.		II. 216
1937	• ·	· · · ‹	*Monitum,* Bishop of Linz		III. 350
1937	2	Jan.	Rescript, S. C. Rit.		II. 202
1937	5	Jan.	Letter, S. C. Sacr.		II. 541
1937	8	Jan.	Rescript, S. C. Rit.		II. 202
1937	12	Jan.	Rescript, S. C. Rit.		II. 55
1937	12	Jan.	Rescript, S. C. Rit.		IL 202
1937	28	Jan.	Rescript, Holy Office		II. 247
1937	27	Feb.	Rescript, Holy Office		II. 530
1937	2	Mar.	Rescript, S. Paen.	29-58	II. 220
1937	9	Mar.	Instr., S. C. Prop. Fid.	29-476	II. 109
1937	10	Mar.	Rescript, S. C. Sacr.		II. 29
1937	14	Mar.	Encyclical, Pius XI	29-145	II. 409
1937	18	Mar.	Encyclical, Pius XI	29-65	II. 409
1937	19	Mar.	Instr., S. C. Prop. Fid.	29-275	II. 156
1937	19	Mar.	Encyclical, Pius XI	29-65	II. 409
1937	28	Mar.	Ap. Letter, Pius XI	29-189	II. 409
1937	31	Mar.	Decree, S. Paen.	29-284	II. 232
1937	3	Apr.	Rescript, S. C. Cone.		II. 360
1937	10	Apr.	Reply, S. C. Rel.		III. 215
1937	12	Apr.	Decree, S. Paen.	29-285	II. 235
1937	14	Apr.	Decree, S. C. Prop. Fid.	29-435	II. 109
1937	4	May	Declaration, S. Paen.	29-283	II. 580
1937	22	May	Ap. Const., Pius XI	29-391	II. 78
1937	26	May	Decree, Holy Office	29-304	II. 372
1937	10	June	Decree, Holy Office	29-305	II. 343
1937	30	June	Reply, Holy Office		III. 4SO
1937	1	July	Letter, Spanish Bishops		II. 409
1937	3	Julv	Declaration. Holy Office		II. 156
1937	20	July	Rules, S. C. Eccl. Or.	29-342	II. 3
1937	3	Sept.	Chirograph, Pius XI	29-381	II. 110
1937	29	Sept.	Encyclical, Pius XI	29-373	II. 53
1937	13-18	Nov.	Resolution, S. C. Cone.	30- 160	II. 362
1937	13-18	Nov.	Resolution, S. C. Cone.	30-101	II. 204
1937	16	Nov.	Reply, S. C. Prop. Fid.	.....	III. 75
1937	9	Dec.	Ap. Const., Pius XT	30-251	II. 78
1937	9	Dec.	\p. Const., Pius XI	30-253	II. 78
1937	9	Dec.	Ap. Const., Pius XI	30-256	II. 78

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1937	10	Dec.	Ap. Const., Pius XI	30-258	II. 78
1937	10	Dec.	Ap. Const., Pius XI	30-260	II. 78
1937	14	Dec.	S. Paen.		II. 236
1937	14	Dec.	Reply, S. Paen.	.....	II..232
1937	24	Dec.	Allocution, Pius XI	30-20	II. 443
1937	30	Dec.	Replies, Code Com.	30-73	II. 172, 570
1937	31	Dec.	*Motu Proprio,* Pius XI	30-33	II. 95, 439
1937	31	Dec.	Decree, S. Paen.	30-110	II. 228
1938	15	Jan.	Declaration, S. C. Cone.	.....	II. 78
1938	18	Jan.	Replies, S. C. Sacr.	.....	II. 544
1938	25	Jan.	Induit, S. C. Sacr.	.....	II. 192
1938	1	Feb.	Decree, Vic. Urb.	.....	III. 67
1938	7	Feb.	Letter, S. C. Prop. Fid.	.....	II. 427
1938	7	Feb.	Induit, S. C. Sacr.	.....	II. 192
1938	17	Feb.	Letter, Ap. Del. U. S.	.....	II. 78
1938	26	Feb.	Ap. Const., Pius XI	30-327	II. 78
1938	12	Mar.	Decree, S. Paen.	30-111	II. 229
1938	25	Mar.	*Motu proprio,* Pius XI	30-154	II. III
1938	13	Apr.	Letter, S. C. Sem.	.....	II. 395
1938	21	Apr.	Letter, Holy Office	.....	II. 281
1938	13	May	Letter, Ap. Del. U. S.	.....	II. 248
1938	26	May	Instruction, S. C. Sacr.	30-198	II. 377; III. 516
1938	14	June	Instruction, S. C. Consist.	.....	III. 575
1938	18	June	Reply, Holy Office	30-226	II. 397
1938	23	June	Letter, Holy Office	.....	II. 250
1938	30	June	Decree, S. C. Sem.	30-274	II. 77
1938	14	July	Letter, S. C. Prop. Fid.	.....	II. 372
1938	20	July	Resolution, S. C. Cone.	37-297	III. 118
1938	21	July	Declaration, Holy Office	30-265	II. 572
1938	1	Aug.	Decree, S. C. Rit.	30-292	II. 9
1938	10	Aug.	Decree, S. C. Neg. Extr.	30-296	II. 115
1938	25	Aug.	Reply, S. C. Rit		III. 520
1938	23	Sept.	Letter. Ap. Del. U. S.		II. 531
1938	22	Oct.	Allocution, Card. Paccllli		III. 268
1938	16	Nov.	Decree. S. C. Eccl. Or.	31-169	II. 5
1938	21	Nov.	Brief. Pius XI	300	II. 118
1938	8	Dec.	*Motu proprio,* Pius XI	30-410	II. 540
1938	8	Dec.	Instruction, S. C. Sacr.		II. 208
1938	20	Dec.	Induit, Signatura		II. 459
1939	• ·	· · ·	Quinquennial Faculties		IT. 30
1939	2	Jan.	Decree, S. Paen.	31-23	II. 230
1939	4	Jan.	Norms, S. C. Rit.	31-174	II. 557
1939	11	Mar.	*Monita,* S. Paen.	31-132	II. 224
1939	22	Mar.	Reply, Holy Office	31-131	II. 533
1939	22	Mar.	Reply, Holy Office	31-131	II. 547
1939	31	Mar.	*Motu proprio,* Pius XII	31-141	II. 24
1939	14	Apr.	Reply. S. C. Rel.	.....	III. 213
1939	28	Apr.	Rescript. S. C. Consist.	31-224	II. 42
1939	1	May	Decree. S. Paen.	31-226	II. 230
1039	26	May	Schedule of Fees, Rota	31-622	II. 453
1939	1	June	Decree, S. C. Sacr.	31–225	II. 338
1939	9	June	Instruction. S. C. Prop. Fid.	31-269	IT. 420
1939	15	June	Decree, S. Paen.	31-277	II. 231

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1939	24	June	Address, Pius XII	31-245	II. 427
1939	6-10	July	Decree, Holy Office	31-303	II. 397
1939	16	July	Reply, Bibl. Com.	31-320	II. 434
1939	15	July	Decree, S. C. Rit.	32-197	II. 10
1939	24	July	Reply, Code Com.		II. 547
1939	24	July	Replies, Code Com.	31-321	II. 52, 173, 178, 237
1939	24	July	Reply, S. Paen.	31-317	II. 399
1939	20	Oct.	Encyclical, Pius XII	31-415	III. 264
1939	9	Nov.	Ap. Letter, Pius XII	31-670	II. 233
1939	24	Nov.	Induit, S. Paen.		II. 571
1939	25	Nov.	Reply, Holy Office		IV. 324, 329
1939	8	Dec.	Faculties, S. C. Consist.	31-710	II. 141, 586
1939	8	Dec.	Instruction, S. C. Prop. Fid.	32-24	II. 370
1939	8	Dec.	Exhortation, Pius XII	31-696	II. 53
1939	9-16	Dec.	Resolution, S. C. Cone.	32-75	II. 350
1939	12	Dec.	Reply, Holy Office	32-24	II. 400
1939	21	Dec.	*Summarium,* S. Paen.	32-58	II. 178, 233, 419
1940	7	Jan.	Letter, Pius XII	32-43	II. 116
1940	15	Jan.	Decree, S. Paen.	32-60	II. 233
1940	15	Jan.	Reply, Holy Office	32-52	II. 534
1940	19	Jan.	Replies, Code Com.	32-62	II. 141, 237
1940	20	Jan.	Norm, S. C. Prop. Fid.		V. 362
1940	23	Jan.	Letter, S. C. Rel.		III. 214
1940	27	Jan.	Decree, S. C. Eccl. Or.	32-152	II. 8, 238
1940	24	Feb.	Reply, Holy Office	32-73	II. 96
1940	12	Mar.	Decree, S. C. Rit.	32-200	II. 222
1940	3	Apr.	Decree, S. C. Rit.	32-311	II. 10
1940	8	Apr.	Declaration, Ap. Datary	32-163	II. 137
1940	9	Apr.	Reply, S. C. Prop. Fid.	32-379	II. 9
1940	19	Apr.	Resolution, S. C. Cone.	32-374	II. 167
1940	29	Apr.	Replies, Code Com.	32-212	II. 49, 290, 451
1940	7	May	Concordat, etc.	32-217	II. 11
1940	18	May	Induit, S. C. Sacr.		II. 249
1940	11	June	Reply, S. C. Eccl. Or.	32-303	II. 6
1940	15	June	Resolution, S. C. Cone.	33-70	II. 440
1940	18	June	Resolution, S. C. Cone.	33-333	II. 139
1940	1	July	Faculties, S. C. Consist.		II. 587
1940	6	July	Ap. Letter, Pius XII		III. 265
1940	8	July	Reply, Code Com.	32-317	II. 105
1940	10	July	Decree, S. C. Sacr.	32-304	II. 540
1940	21	July	Resolution, S. C. Cone.	33-369	II. 150
1940	22	Aug.	Signatura	32-381	II. 24
1940	4	Sept.	Allocution, Pius XII	32-369	III. 265
1940	12	Sept.	Letter, S. C. Rel.		III. 101
1940	21	Sept.	Instruction, S. C. Sacr.	33-29	II. 252
1940	16	Oct.	Induit, S. C. Rit.		II. 200
1940	20	Nov.	Reply, S.C. Rit.		III. 469
1940	23	Nov.	S. C. Eccl. Or.	33-27	II. 6
1940	23	Nov.	S. C. Eccl. Or.	33-28	II. 50
1940	1	Dec.	*Motu proprio,* Pius XII	32-529	II. 202

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1940	2	Dec.	Reply, Holy Office	32-3	II. 96
1940	10	Dec.	Reply, S. Paen.	32-571	II. 146
1940	20	Dec.	Induit, S. C. Cone.	33-24	II. 363
1940	24	Dec.	Allocution, Pius XII	33-	II. 95
1941	15	Jan.	S.C.Rit.	33-8	II. 10
1941	20	Jan.	Reply, S. C. Sacr.	.....	II. 250
1941	22	Jan.	Reply, S. C. Eccl. Or.	.....	III. 456
1941	2	Feb.	Letter, S. C. Rel. and Sem.	.....	III. 215
1941	10	Feb.	Exhortation, S. C. Sacr.	33-	II. 389
1941	22	Feb.	Decree, S. Paen.	33-	II. 217
1941	25	Feb.	Decision, Rota	.....	III. 429
1941	27	Feb.	Induit, Holy Office	.....	II. 593
1941	1	Mar.	Reply, Holy Office	.....	V. 530
1941	8	Mar.	Decree, Holy Office	33-	II. 374; III. 82
1941	10	Mar.	Decree, S. Paen.	33-9	II. 232
1941	18	Mar.	Letter, S. C. Cone.	.....	III. 292
1941	24	Mar.	Induit, S. C. Sacr.	.....	II. 593
1941	29	Mar.	Decree, Holy Office	33-1	II. 436
1941	5	Apr.	Reply, Holy Office	.....	III. 506
1941	8	Apr.	Replies, Code Com.	33-3	II. 354, 552
1941	9	Apr.	Reply, S. C. Sacr.	.....	II. 590
1941	13	Apr.	Radio Message, Pius XII	33-2	II. 95
1941	20	Apr.	Letter, Pius XII	33-0	II. 95
1941	25	Apr.	Decision, Rota	.....	III. 411
1941	28	Apr.	Instruction, S. C. Sacr.	33-363	II. 534
1941	10	May	Replies, Holy Office	33-294	II. 292
1941	1	June	Radio Address, Pius XII	33-216	II. 393
1941	7	June	Agreement, Pius XII	33-480	III. 38
1941	12	June	Letter, Ap. Del. U. S.	.....	II. 147
1941	26	June	Pastoral, German Bishops	.....	II. 123
1941	29	June	Instruction, S. C. Sacr.	33-297	II. 253
1941	4	July	Induit, S. C. Cone.	.....	II. 356
1941	25	July	Resolution, S. C. Cone.	34-101	TIL 491
1941	13	July	Instruction, S. C. Cone.	33-389	II. 358
1941	14	July	S. C. Rel. and Sem.	33-371	II. 426
1941	31	July	Reply, S. C. Sacr.	.....	III. 638
1941	5	Aug.	Replies. Code Com.	33-378	II. 119, 132
1941	20	Aug.	Letter, Bibl. Com.	33-465	II. 400
1941	25	Aug.	Letter, Ap. Del. U. S.	.....	II. 68
1941	8	Sept.	Letter, Ap. Del. U. S.	.....	II. 356
1941	10	Sept.	Letter, S. C. Sacr.	.....	TIL 448
1941	3	Oct.	Allocution, Pius XII	33—421	IT. 454
1941	4	Nov.	*Motu proprio,* Pius XII	33—479	II. 110
1941	15	Nov.	Replies, Holy Office	.....	TIT. 299
1941	27	Nov.	Reply, S. C. Rit.	.....	III. 490
1941	19	Dec.	Induit, S. C. Neg. Extr.	33-516	IT. 363
1941	24	Dec.	Allocution. Pius XII	.....	TI. 80
1941	26	Dec.	Induit, S. C. Neg. Extr.	.....	IT. 357
1942	1	Jan.	Letter, Ap. Del. U. S.	.....	IT. 44
1942	1	Jan.	Instruction, Ap. Datary	34-113	TI. 135
1942	2	Jan.	Letter. Ap. Del. U. S.	.....	TT. 215
1942	9	Jan.	S.C.Rit.	34-1	TI. 9, 201; ITT. 37, 359

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1942	16	Jan.	Reply, Holy Office	34-	II. 286
1942	21	Jan.	Letter, Pius XII	.....	III. 265
1942	31	Jan.	Replies, Code Com.	34-50	II. 332, 353, 469
1942	22	Feb.	Resolution, S. C. Cone.	35-182	III. 113
1942	23	Feb.	Resolution, S. C. Cone.	34-	III. 111
1942	2	Mar.	Reply, S. Paen.		III. 384
1942	13	Mar.	Induit, S. C. Rit.	34-	II. 389
1942	26	Mar.	Decree, Holy Office	34-	II. 97
1942	17	Apr.	Decree, Holy Office	34-	II. 438
1942	30	Apr.	Induit, S. C. Sacr.		II. 620
1942	1	May	Reply, S. C. Rit.	34-	II. 349
1942	8	May	Ap. Letter, Pius XII	34-	III. 519
1942	11	May	Rescript, S. C. Rel.		II. 166
1942	12	May	*Motu proprio, Pius XU*	34-153	II. 223
1942	16	May	Notification, Ap. Del. U. S.		II. 220
1942	19	May	Induit, S. Paen.		II. 627
1942	8	June	Letter, Military Ord. U. S.		II. 620
1942	10	June	Reply, S. Paen.	34-210	II. 223
1942	12	June	Decree, Holy Office	34-200	II. 549
1942	21	June	Instr., S. C. Prop. Fid.	34-347	III. 77
1942	27	June	Chirograph, Pius XII	34-217	III. 98
1942	30	June	Letter, Military Ord. U. S.		II. 624
1942	6	July	Reply, Bibl. Com.	34-232	III. 564
1942	9	July	Replies, S. C. Eccl. Or.		II. 338
1942	17	July	Induit, S. C. Sacr.		II. 462
1942	20	July	Decree, S. Paen.	34-240	II. 221
1942	20	July	Decree, S. Paen.	34-239	II. 234
1942	27	July	Replies, Code Com.	34-241	II. 45, 174, 548
1942	30	July	Induit, Signatura		II. 459
1942	20	Aug.	Norms, S. C. Sem.		III. 63
1942	3	Sept.	Instr., S. C. Rit.	.....	III. 352
1942	12	Sept.	Ap. Letter, Pius XII	34-336	III. 519
1942	22	Sept.	Decree, S. Paen.	34-303	III. 385
1942	1	Oct.	Allocution, Pius XII	34-338	III. 605
1942	17	Nov.	Prayer, Pius XII	34-345	III. 390
1942	2	Dec.	S. C. Prop. Fid.	35-26	III. 101, 158
1942	20	Dec.	Resolution, S. C. Cone.	34-	III. 576
1942	23	Dec.	Decree, S. Paen.	34-382	III. 391
1943	25	Jan.	Replies, Code Com.	35-58	III. 451, 603
1043	30	Mar.	Declar., S. C. Rel.	.....	III. 215
1943	2	Apr.	Letter, Pius XII	34-	III. 570
1943	7	Apr.	Formula, S. C. Eccl. Or.	34-	III. 33
1943	17	Apr.	Instr., Holy Office	34-	III. 572
1943	20	Apr.	Reply, S. C. Eccl. Or.	.....	III. 457
1943	8	May	Declar., S. Paen.	34-	III. 385
1943	16	May	Instr., Holy Office	.....	III. 379
1943	18	June	Resolution, S. C. Cone.	34-	III. 578
1943	29	June	Encycl., Pius XII	35-193	III. 59
1943	7	July	Reply, Holy Office		III. 420
1943	12	July	Decree, S. C. Eccl. Or.	36-307	III. 599
1943	30	July	Rcplv, S. C. Eccl. Or.		III. 457
1943	10	Aug.	S. C. Eccl. Or.	34-	III. 33
1943	18	Aug.	Decree, S. Paen.	34-	III. 391

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1943	22	Aug.	Reply, Bibl. Com.	35-270	III. 355
1943	31	Aug.	Reply, S. C. Rit.		IV. 352
1943	8	Sept.	Statuta, S. C. Sem.	35-369	III. 104
1943	15	Sept.	Instr., S. C. Sacr.	35-282	III. 515
1943	30	Sept.	Encycl., Pius XII	35-297	III. 568
1943	26	Nov.	Decree, Holy Office	35-398	III. 612
1943	27	Nov.	Reply, Holy Office		III. 472
1943	6	Dec.	Replies, Code Com.	36-94	III. 638, 645
1944	14	Jan.	Decree, S. C. Rit.	36-28	III. 302
1944	20	Jan.	Declar., S. C. Ecd. Or.	36-25	III. 575
1944	22	Jan.	Decision, Rota	36-179	III. 437
1944	24	Jan.	Chirograph, Pius XII	36-45	III. 104
1944	24	Jan.	Decree, S. C. Rel.	36-213	III. 100
1944	28	Jan.	Decree, S. C. Rit.	36-60	III. 301
1944	10	Feb.	Letter, Pius XII	36-101	III. 564
1944	25	Mar.	Instr., S. Paen.	36-155	III. 377
1944	1	Apr.	Decree, Holy Office	36-103	III. 401
1944	9	Apr.	Encycl., Pius XII	36-129	III. 32
1944	22	Apr.	Notification, S. C. Ecd. Or.	36-245	III. 386
1944	12	May	Decree, S. C. Rit.	36-154	III. 357
1944	23	June	Declar., S. C. Rit.	36-221	III. 384
1944	21	July	Decree, Holy Office	36-212	III. 522
1944	2	Oct.	Allocution, Pius XII	36-281	III. 612
1944	29	Nov.	Resolution, S. C. Cone.	37-118	III. 109
1944	30	Nov.	Ap. Const., Pius XII	37-131	III. 392
1944	21	Dec.	Instr., S. C. Sem.	37-173	III. 545
1945	20	Jan.	Reply, S. C. Rit.		III. 357
1945	21	Jan.	Allocution, Pius XII		III. 264
1945	1	Feb.	Decree, Bishop of Pueblo		IV. 358
1945	2	Feb.	Letter, S. C. Sem.		IV. 97
1945	11	Mar.	Allocution, Pius XII	37-68	III. 290
1945	12	Mar.	Letter, Cardinal Stritch		III. 358
1945	24	Mar.	*Motu proprio,* Pius XII	37-65	III. 64
1945	11	Apr.	Reply, Holy Office		III. 420
1945	12	Apr.	Replies, S. C. Eccl. Or.		III. 458
1945	12	Apr.	Reply, S. C. Eccl. Or.		III. 459
1945	12	Apr.	Reply, S. C. Eccl. Or.		III. 460
1945	19	Apr.	Reply, Ap. Del. U. S.		III. 27
1945	3	May	Replies, Code Com.	37-149	III 118, 454, 639
1945	30	May	Faculties, S. C. Eccl. Or.		III. 45
1945	8	June	Decree, Rota	37-193	III. 599
1945	16	June	Reply, Holy Office		III. 481
1945	28	Aug.	Reply, S. C. Sem.	37-272	III. 567
1945	2	Oct.	Allocution. Pius XII	37-256	III. 587
1945	25	Oct.	Decision, Rota		III. 414
1945	8	Dec.	Ap. Const., Pius XII	38-65	III. 71
1945	15	Dec.	Reply, S. C. Prop. Fid.		III. 39, 340
1945	23	Dec.	Encycl., Pius XII	38-33	III. 34
1946	4	Jan.	Replies. Code Com.	38-162	III. 292, 491, 639
1946	22	Jan.	Induit, S. C. Cone.	38-27	III. 493
1946	20	Mar.	Replies, S. Paen.	38-160	III. 387
1946	25	Mar.	Induit. S. C. Sacr.		III 366
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1946	10	Aug.	S. C. Rit.	38-371	HI. 571
1946	26	Aug.	Letter, Pius XII		III. 265
1946	14	Sept.	Decree, S. C. Sacr.	38-349	III. 303
1946	6	Oct.	Allocution, Pius XII	38-391	III. 650
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1947	2	Jan.	Reply, S. C. Sacr.		III. 313
1947	7	Jan.	Reply, Holy Office		III. 462
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1957	1	July	Decree, S. C. Sacr.	49-943	IV. 255
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1957	11	July	Letter, Pius XII	49-726	IV. 190, 363
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1957	16	July	Decree, S. C. Cone.	49-637	IV. 102
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1957	8	Sept.	Decree, S. C. Consist.	49-970	IV. 157
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1957	22	Dec.	Message, Pius XII	50-5	V. 238
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1958	19	July	Radio Addresses, Pius XII	50-563	V. 681
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